

**WESTFIELD REDEVELOPMENT COMMISSION  
RESOLUTION NO. 1-2014**

**RESOLUTION OF THE WESTFIELD REDEVELOPMENT COMMISSION  
AMENDING THE DECLARATORY RESOLUTION OF  
THE GRAND JUNCTION ECONOMIC DEVELOPMENT AREA**

**WHEREAS**, on July 7, 2009, the Redevelopment Commission (the "Redevelopment Commission") of the City of Westfield (the "City") adopted Declaratory Resolution No. 2-2009 (the "Original Declaratory Resolution") establishing the Grand Junction Economic Development Area (the "Original Area") as an economic development area under Indiana Code 36-7-14 and Indiana Code 36-7-25 *et seq.*, and all acts supplemental and amendatory thereto (collectively, the "Act"); and,

**WHEREAS**, the Original Declaratory Resolution (i) identified certain parcels of real estate to be included in and designated as the Original Area as required by Indiana Code 36-7-14-41, (ii) approved an economic development plan for the Original Area (the "Original Plan"), (iii) found that the Original Plan conforms to other development and redevelopment plans for the City, (iv) found that no Original Area residents will be displaced due to the Original Plan, and (v) designated the Original Area as an "allocation area" to be known as the "Grand Junction Economic Development Allocation Area" as required by Indiana Code 36-7-14-39 (the "Original Allocation Area") and approved and incorporated the Factual Report (the "Original Report") supporting the Original Declaratory Resolution and the Original Plan presented at the July 7, 2009 meeting of the Redevelopment Commission, which Original Plan contained specific recommendations for economic development of the Original Area, including road, infrastructure and drainage improvements to the Original Area and related improvements and equipment serving the Original Area as further described in the Original Plan (the "Original Project"); and,

**WHEREAS**, on July 20, 2009, the Redevelopment Commission submitted the Original Declaratory Resolution, the Original Plan and supporting data to the Westfield-Washington Advisory Planning Commission (the "Plan Commission") and the Plan Commission issued its written Order approving the Original Declaratory Resolution and the Original Plan as submitted; and,

**WHEREAS**, on August 10, 2009, the Common Council of the City (the "Common Council") approved the Order of the Plan Commission and approved the creation of the Original Area and approved the actions of the Redevelopment Commission establishing the Original Area pursuant to Indiana Code 36-7-14-16(b) and Indiana Code 36-7-14-41(c); and,

**WHEREAS**, on August 12, 2009, after publishing notice of and conducting a public hearing in accordance with the Act, the Redevelopment Commission adopted Resolution 5-2009 confirming the Original Declaratory Resolution (the "Original Confirmatory Resolution"); and,

**WHEREAS**, on July 13, 2010, the Redevelopment Commission adopted Declaratory Resolution No. 2-2010 amending certain provisions of the Original Declaratory Resolution relating to the percentage of accumulated assessed value that the Redevelopment Commission could capture, collect and retain in the Original Allocation Area; and

**WHEREAS**, the Redevelopment Commission investigated, studied and surveyed additional economic development areas within the corporate boundaries of the City; and

**WHEREAS**, the Redevelopment Commission selected Expansion Area No. 1 (as hereinafter defined) as an additional economic development area to be developed under the Act; and

**WHEREAS**, on August 29, 2011 the Redevelopment Commission adopted its Resolution No. 2-2011 amending the Original Declaratory Resolution, as previously amended by Declaratory Resolution No. 2-2010, by (i) expanding the boundaries of the Original Area by the addition of the parcels described therein known as the Grand Junction Economic Development Expansion Area No. 1 (the "Expansion Area No. 1") (the Original Area together with Expansion Area No. 1 are referred to as the "Grand Junction Consolidated Economic Development Area"); and (ii) removing three (3) parcels from the Original Area as described therein; and

**WHEREAS**, the parcel identified in Resolution No. 2-2010 constitutes a "sub-area" of the Expansion Area No. 1 for economic development purposes, and is known as the "Mainstreet Project Sub-Area" and constitutes a separate and additional "allocation area" within Expansion Area No. 1 pursuant to and in accordance with Indiana Code 36-7-14-39; and

**WHEREAS**, the Redevelopment Commission prepared an economic development plan for Expansion Area No. 1 including the Mainstreet Project Sub-Area (the "Expansion Area No. 1 Plan"), which Expansion Area No. 1 Plan was incorporated by reference into Resolution No. 2-2011 (together the Expansion Area No. 1 Plan and the Original Plan are referred to as the "Grand Junction Consolidated Economic Development Plan"); and

**WHEREAS**, on September 6, 2011, the Plan Commission adopted Plan Commission Order No. 11-01 approving the Amended Declaratory Resolution and Grand Junction Consolidated Economic Development Plan and finding that the Grand Junction Consolidated Economic Development Plan for the Grand Junction Consolidated Economic Development Area conforms to the comprehensive plan of development for the City; and

**WHEREAS**, on September 13, 2011, the Common Council adopted Resolution No. 11-18 approving the Order of the Plan Commission and the establishment of the Expansion Area No. 1; and

**WHEREAS**, on August 29, 2011, after notice and a public hearing thereon, the Redevelopment Commission confirmed the Declaratory Resolution No. 2-2011 by the adoption of Resolution No. 3-2011 (the "Confirmatory Resolution"); and

**WHEREAS**, the Redevelopment Commission adopted Declaratory Resolution No. 1-2013 on January 23<sup>rd</sup>, 2013 amending the Original Declaratory Resolution to remove certain parcels or portions of parcels from the Grand Junction Consolidated Economic Development Area; and

**WHEREAS**, as required by the Act, on February 4, 2013, the Plan Commission adopted its Order Number 13-01 approving Declaratory Resolution No. 1-2013 and the revision of the Grand Junction Consolidated Economic Development Plan to remove the parcels identified in Declaratory Resolution No. 1-2013; and

**WHEREAS**, on February 11, 2013, the Common Council approved the (i) Order 13-01, (ii) Declaratory Resolution No. 1-2013, (iii) Grand Junction Consolidated Economic Development Plan as revised, and (iv) action of the Redevelopment Commission pursuant to Indiana Code 36-7-14-16(b); and

**WHEREAS**, on February 12, 2013, after notice and a public hearing thereon, the Redevelopment Commission confirmed the Declaratory Resolution No. 1-2013 by the adoption of Confirmatory Resolution No. 2-2013; and

**WHEREAS**, the Redevelopment Commission now desires to further amend the Original Declaratory Resolution, as heretofore amended by Declaratory Resolution No. 2-2010, Declaratory Resolution No. 2-2011, and Declaratory Resolution No. 1-2013 by the adoption of this Resolution (the Declaratory Resolution, as amended hereby is hereinafter referred to as the "Declaratory Resolution"); and

**WHEREAS**, the Commission proposes to further amend the Declaratory Resolution to remove certain parcels or portions of parcels from the Grand Junction Consolidated Economic Development Area (collectively, the "Parcels"), as described in Exhibit A attached hereto and made a part hereof, all in accordance with the Act; and

**WHEREAS**, the Parcels are located within the Grand Junction Consolidated Economic Development Area and the boundaries of the Grand Junction Consolidated Economic Development Area need not be increased as a result of the removal of the Parcels; and

**WHEREAS**, the actions proposed by this Resolution will produce a net reduction of the Grand Junction Consolidated Economic Development Area; and

**WHEREAS**, after being fully advised in the matter,

**NOW, THEREFORE, BE IT RESOLVED** by the Westfield Redevelopment Commission, as follows:

1. The Commission hereby amends (i) the Declaratory Resolution to remove the parcels and portions of parcels, as described in Exhibit A hereto, from the Grand Junction Consolidated Economic Development Area (the "Amendment").

2. The Commission hereby finds that the boundaries of the Grand Junction Consolidated Economic Development Area are hereby revised to give effect to the removal of the Parcels from the Grand Junction Consolidated Economic Development Area and that the activities in the existing Grand Junction Consolidated Economic Development Plan are unchanged by this Resolution.

3. Upon consideration of the evidence and findings presented to the Commission, the Commission hereby finds the Amendment to the Grand Junction Consolidated Economic Development Plan, as set forth in Sections 1 through 2 of this Resolution, will benefit the public health and welfare of the citizens of the City and the State of Indiana and is reasonable and appropriate when considered in relation to the original Plan and the purposes of the Act, and hereby approves the Amendment.

4. The Commission hereby finds that the Grand Junction Consolidated Economic Development Plan, together with the proposed Amendment described herein, conform to the Comprehensive Plan for the City.

5. This Resolution shall constitute an amendment to the Declaratory Resolution and the Grand Junction Consolidated Economic Development Plan and is incorporated into the Grand Junction Consolidated Economic Development Plan by this reference thereto.

6. In all other respects, the Declaratory Resolution and the Grand Junction Consolidated Economic Development Plan, as amended by the Amendment, shall remain in full force and effect.

7. The Commission may exercise its authority pursuant to the Act for the purpose contemplated by the Amendment herein, including but not limited to the development and redevelopment of the Project within the Grand Junction Consolidated Economic Development Area, all for the purposes set forth herein.

8. This Resolution shall be submitted to the Plan Commission of the City, pursuant to Indiana Code 36-7-14-16(a), for its approval of the removal of the Parcels from the Grand Junction Consolidated Economic Development Area, whereby upon written approval by the Plan Commission, the Plan Commission's order approving the removal of the Parcels shall be submitted to the Common Council for approval pursuant to Indiana Code 36-7-14-16(b).

9. This Resolution shall be effective upon its adoption and passage.

*[Remainder of page intentionally left blank.]*

ADOPTED AND PASSED THIS 21<sup>st</sup> DAY OF JANUARY, 2014,  
BY A VOTE OF 3 IN FAVOR AND 0 OPPOSED, BY THE  
WESTFIELD REDEVELOPMENT COMMISSION, HAMILTON COUNTY, INDIANA.

By: Joseph Plankis  
Joseph Plankis, President

By: Joseph E. Ingalls  
Joseph E. Ingalls, Vice President

By: Scott Robison  
Scott Robison, Secretary

By: Jill Doyle  
Jill Doyle, Member

By: \_\_\_\_\_  
Doug Holtz, Member

ATTEST:

Andrew P. Murray

This resolution prepared by:

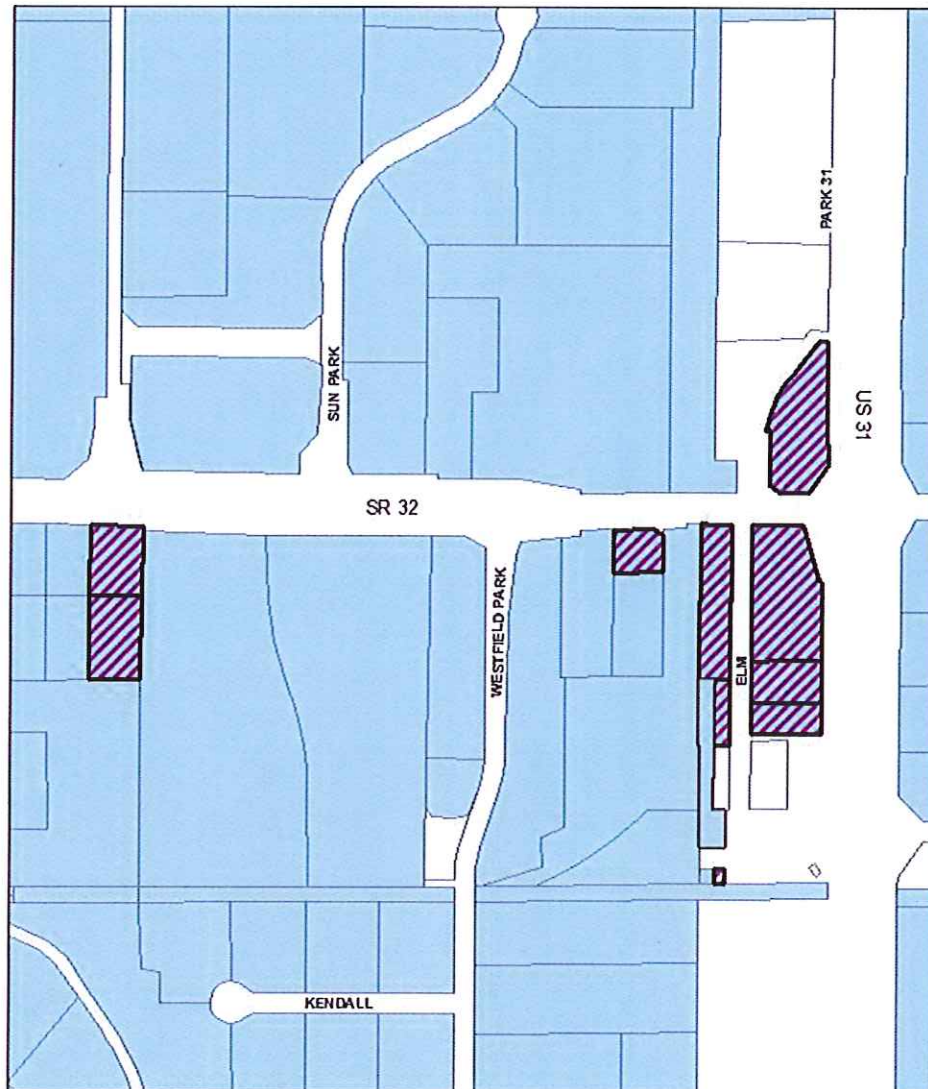
Andrew P. Murray  
City of Westfield  
317.379.9080  
amurray@westfield.in.gov

Exhibit A

MAP AND DESCRIPTION OF PARCELS OR PORTIONS OF REMOVED FROM THE ORIGINAL  
GRAND JUNCTION ECONOMIC DEVELOPMENT AREA

- Exhibit 1      Map and List of Parcels Removed (4 pages)
- Exhibit 2      Map and List of Portions of Parcels Removed (3 pages)
- Exhibit 3      Legal Descriptions of Portions of Parcel Numbers Removed (34 pages)

## Page 1 of 4



### Legend

-  Parcels Removed  
 Grand Junction TIF District  
 Parcels

Exhibit 1

Page 2 of 4



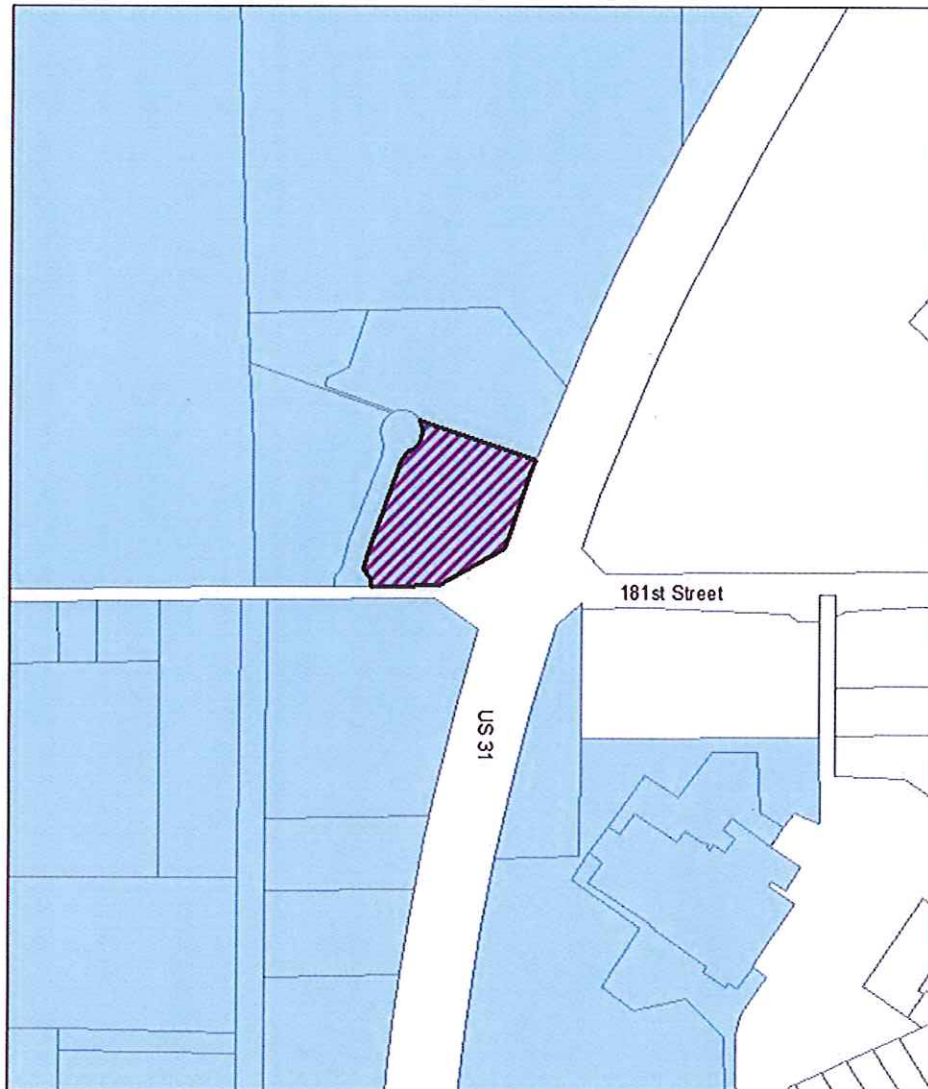
**Legend**

-  Parcels Removed
-  Grand Junction TIF District
-  Parcels



Exhibit 1

Page 3 of 4



**Legend**

-  Parcels Removed
-  Grand Junction TIF District
-  Parcels

Exhibit 1

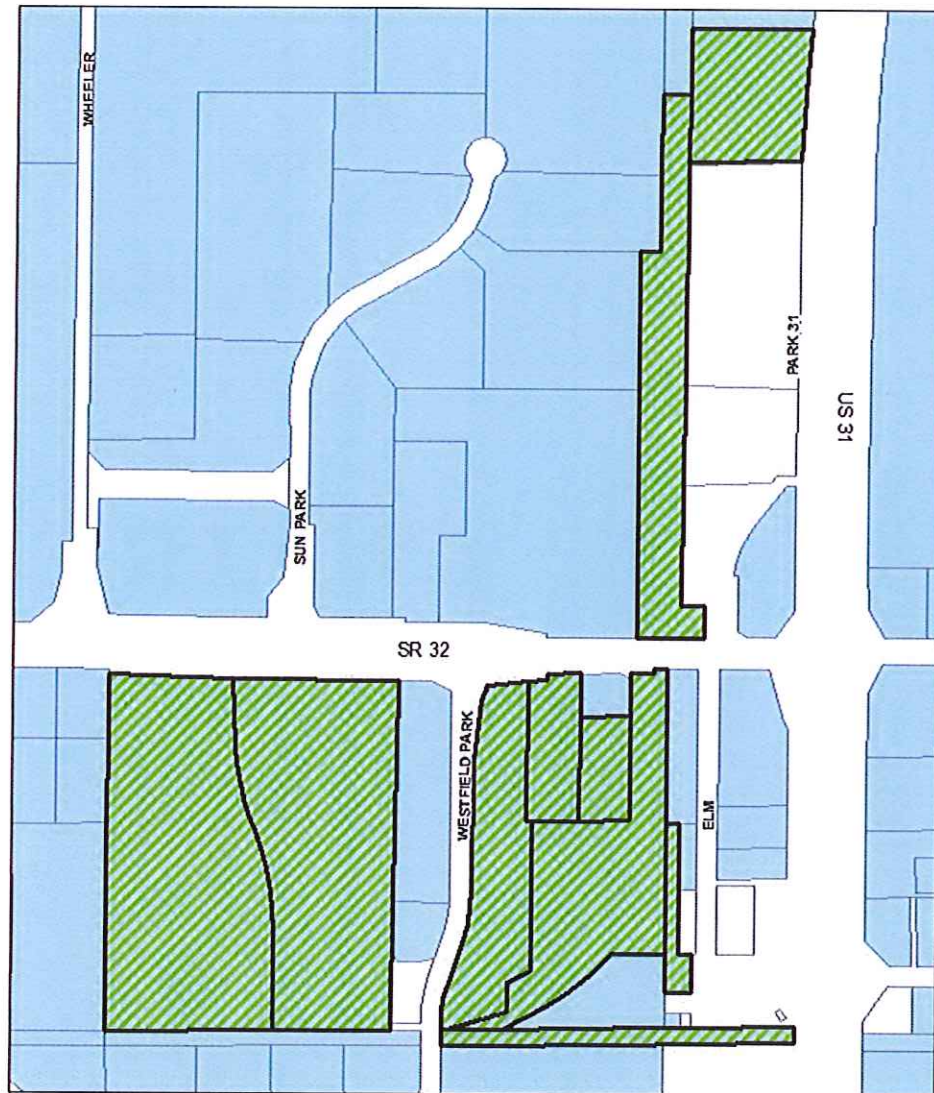
Page 4 of 4

Parcel No. Removed

08-09-01-01-01-012.000
08-09-01-01-01-013.000
09-05-36-04-01-003.000
09-09-01-01-02-002.001
09-09-01-02-01-001.000
09-09-01-02-01-004.000
09-09-01-02-01-007.000
09-09-01-02-01-008.000
09-09-01-02-01-012.000
09-09-01-02-01-014.000
09-09-01-02-06-001.000
09-09-01-02-06-019.000
09-09-01-02-06-020.000
09-09-01-02-02-003.000
09-09-01-02-03-020.000
09-05-36-00-00-005.005
09-09-01-02-10-009.000
09-09-01-02-10-002.000
09-09-01-02-10-004.000
09-09-01-02-05-004.000
09-09-01-02-05-005.000
09-09-01-02-10-007.000
09-09-01-02-10-006.000
09-09-01-02-05-009.000
09-09-01-02-07-014.000
09-09-01-02-07-015.000
09-09-01-02-07-018.000

Exhibit 2

Page 1 of 3



**Legend**




-  Portions of Parcels Removed
-  Grand Junction TIF District
-  Parcels

Exhibit 2

Page 2 of 3



**Legend**




-  Portions of Parcels Removed
-  Grand Junction TIF District
-  Parcels

Exhibit 2

Page 3 of 3

**Portions of Parcel No. Removed**

09-05-36-00-00-029.000
09-05-36-00-00-052.000
09-09-01-01-02-002.000
09-09-01-02-01-016.000
09-09-01-01-02-001.000
09-09-01-00-00-003.101
09-09-01-01-02-003.000
09-09-01-00-00-003.002
09-09-01-00-00-003.003
08-05-25-00-00-042.000
08-05-25-00-00-043.000
09-09-01-01-02-005.000

Exhibit 3

Page 1 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

Sheet 1 of 3

PARCEL NO.: 268-Fee Simple

Form WL-2

Key Number 29-09-01-102-005.000-015

A part of the Northeast Quarter of Section 1, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Commencing at the Northwest corner of said Quarter Section; thence South 0 degrees 00 minutes 28 seconds West 855.12 feet along the west line of said quarter section; thence South 89 degrees 59 minutes 31 seconds East 33.00 feet to the point of beginning of this description; thence South 89 degrees 38 minutes 44 seconds East 13.45 feet to the west line of the parcel of land described in Instrument #200500056346 in the Office of the Recorder of Hamilton County; thence South 0 degrees 01 minutes 23 seconds West 42.33 feet along said line to the North the right-of-way line of the former Central Indiana Railroad; thence South 89 degrees 54 minutes 29 seconds West 13.43 feet along said right-of-way line; thence North 0 degrees 00 minutes 40 seconds West 42.39 feet to the point of beginning, containing 0.013 acres, more or less.

Revised 3-22-12



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 14th day of September, 2011

  
Fred L. Bengé



Exhibit 3

Page 2 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 268A-Fee Simple  
Form WL-2  
Key Number 29-09-01-102-005.000-015

Sheet 2 of 3

A part of the Northeast Quarter of Section 1, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Beginning on the West line of said Quarter Section South 0 degrees 00 minutes 28 seconds West 406.00 feet from the Northwest corner of said Quarter Section, thence North 89 degrees 49 minutes 31 seconds East 33.00 feet; thence South 0 degrees 00 minutes 28 seconds West 357.33 feet; thence North 65 degrees 11 minutes 29 seconds West 36.35 feet to said West line of said Quarter Section; thence North 0 degrees 00 minutes 28 seconds East 341.98 feet along said line to the point of beginning, containing 0.265 acres, more or less.

Revised 3-22-12



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 14<sup>th</sup> day of September, 2011

  
Fred L. Bengé

Exhibit 3

Page 3 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

Sheet 3 of 3

PARCEL NO.: 268B-Fee Simple with Partial Limitation of Access

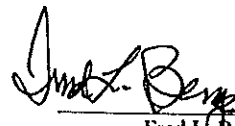
Form WL-2

Key Number 29-05-36-000-052.000-015

A part of the Southeast Quarter of Section 36, Township 19 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Beginning on the west line of said Quarter Section North 0 degrees 19 minutes 14 seconds East 40.02 feet from the Southwest corner of said Southeast Quarter Section, which point is on the North boundary of State Road 32 and the West line of said grantor's land; thence continuing North 0 degrees 19 minutes 14 seconds East 50.13 feet along said line to point "26833" on said plat; thence North 40 degrees 59 minutes 43 seconds East 140.52 feet to point "26828" on said plat; thence North 0 degrees 27 minutes 49 seconds East 572.92 feet to point "26832" on said plat; thence North 0 degrees 47 minutes 14 seconds East 351.09 feet to point "26830" on said plat; thence South 89 degrees 38 minutes 18 seconds West 46.35 feet to the West line of said grantors' land; thence North 0 degrees 19 minutes 01 seconds East 171.75 feet along said line; thence North 89 degrees 45 minutes 07 seconds East 63.98 feet to the East line of said grantor's land; thence South 0 degrees 25 minutes 21 seconds West 1,191.59 feet along said line; thence North 89 degrees 50 minutes 07 seconds East 50.00 feet along said line; thence South 0 degrees 25 minutes 30 seconds West 60.00 feet along said line to the North boundary of State Road 32; thence South 89 degrees 49 minutes 55 seconds West 161.27 feet along said boundary to the point of beginning, containing 1.016 acres, more or less.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), to and from the grantor's remaining lands along the lines described as follows: Beginning on the West line of said Quarter Section North 0 degrees 19 minutes 14 seconds East 60.08 feet from the Southwest corner of said Quarter Section, which point is on the West line of said grantor's land; thence North 41 degrees 16 minutes 08 seconds East 170.17 feet to the East line of said grantor's land and the terminus. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 14<sup>th</sup> day of September, 2011

  
Fred L. Bengé





# Exhibit 3

Page 4 of 34

## EXHIBIT "B" RIGHT-OF-WAY PARCEL PLAT

PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.  
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 1  
0 100 200  
SCALE: 1" = 200'

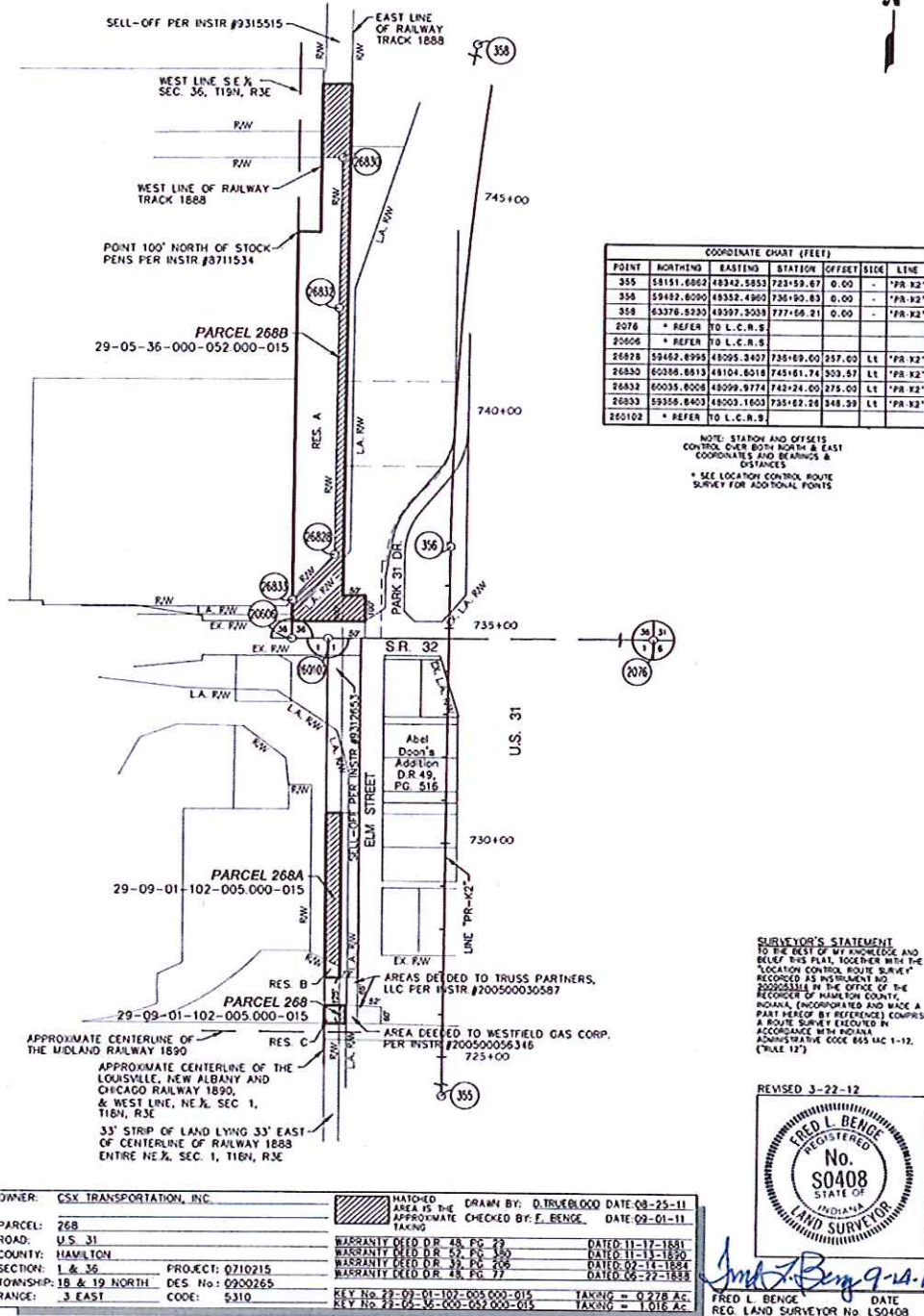


Exhibit 3

Page 5 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 270-Fee Simple  
Form WL-2  
Key Number 29-09-01-207-001.000-015

Sheet 1 of 3

Real estate in Hamilton County, Indiana, described as follows:

Being a part of the northeast quarter of section one, township 18 north, range 3 east,

Commencing at the Northeast corner of said quarter section; Thence on and along the North line thereof, South 89 degrees 22 minutes 32 seconds West (assumed bearing) 2486.88 feet to the West right of way line of Elm Street extended; Thence on and along the said right of way line, South 00 degrees 26 minutes 00 seconds East 790.00 feet to the South right of way line of Park Street; Thence on and along the said South right of way line, North 89 degrees 22 minutes 32 seconds East 502.33 feet to the point of beginning, said point also being South 89 degrees 22 minutes 32 seconds West 180.00 feet from the Northwest corner of Lot #14 in the Abel Doan Addition to the Town of Westfield; thence South 00 degrees 26 minutes 00 seconds East 107.23 feet to a point distance 23 feet northwardly, at right angles from the center line of the main track of railroad of Central Indiana Railway Company; Thence, parallel with said Central Line of main tract South 89 degrees 38 minutes 08 seconds West 102.55 feet to the Easterly Right of Way Line of United States Highway #31; Thence on and along the said Easterly Right of Way Line, North 00 degrees 06 minutes 00 seconds West 22.12 feet; Thence continuing on and along the said Right of Way Line, North 36 degrees 22 minutes 19 seconds East 105.98 feet to the South Right of Way Line of Park Street; Thence on and along the said South Right of Way Line, North 89 degrees 22 minutes 32 seconds East 38.92 feet to the point of beginning.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 17<sup>th</sup> day of August, 2011



*Fred L. Bengé*  
Fred L. Bengé

Exhibit 3

Page 6 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

Sheet 2 of 3

PARCEL NO.: 270A-Fee Simple with Partial Limitation of Access

Form WL-2

Key Number 29-09-01-201-013.000-015

Real estate in Hamilton County, Indiana, described as follows:

Part of the Northeast quarter of Section One (1), Township Eighteen (18) North, Range Three (3) East, more particularly described as follows:

Beginning at a point 207 2/3 feet North and 33 feet East of the center of the crossing of the Chicago, Indianapolis and Louisville Railroad and the Central Indiana Railroad, running thence north 153 feet; thence East 40 feet; thence South 153 feet; thence West 40 feet to the place of beginning.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), to and from the grantors' remaining lands along the lines described as follows: Commencing at the northeast corner of said quarter section; thence South 89 degrees 49 minutes 31 seconds West 2,487.18 feet (2486.88 feet deduced from Instrument 200400060064) along the north line of said quarter section to the prolonged west boundary of Elm Street; thence South 0 degrees 00 minutes 19 seconds West 556.00 feet along said boundary to the north line of said grantors' land; thence North 89 degrees 15 minutes 31 seconds West 23.67 feet along said line to the point of beginning of this description; thence South 0 degrees 03 minutes 10 seconds East 152.38 feet to the south line of said grantors' land and the terminus. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 17<sup>th</sup> day of August, 2011



*Fred L. Bengé*  
Fred L. Bengé

Exhibit 3

Page 7 of 34

**EXHIBIT "A"**

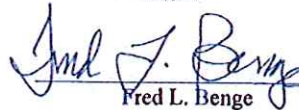
PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 270B-Fee Simple  
Form WL-2  
Key Number 29-09-01-201-009.000-015

Sheet 3 of 3

Lot Number Seven (7) in Abel Doan's Addition to the Town of Westfield, as per plat thereof recorded in the Deed Record 49, Page 516, in the office of the Recorder of Hamilton County, State of Indiana.



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 17th day of August, 2011

  
Fred L. Bengé



# Exhibit 3

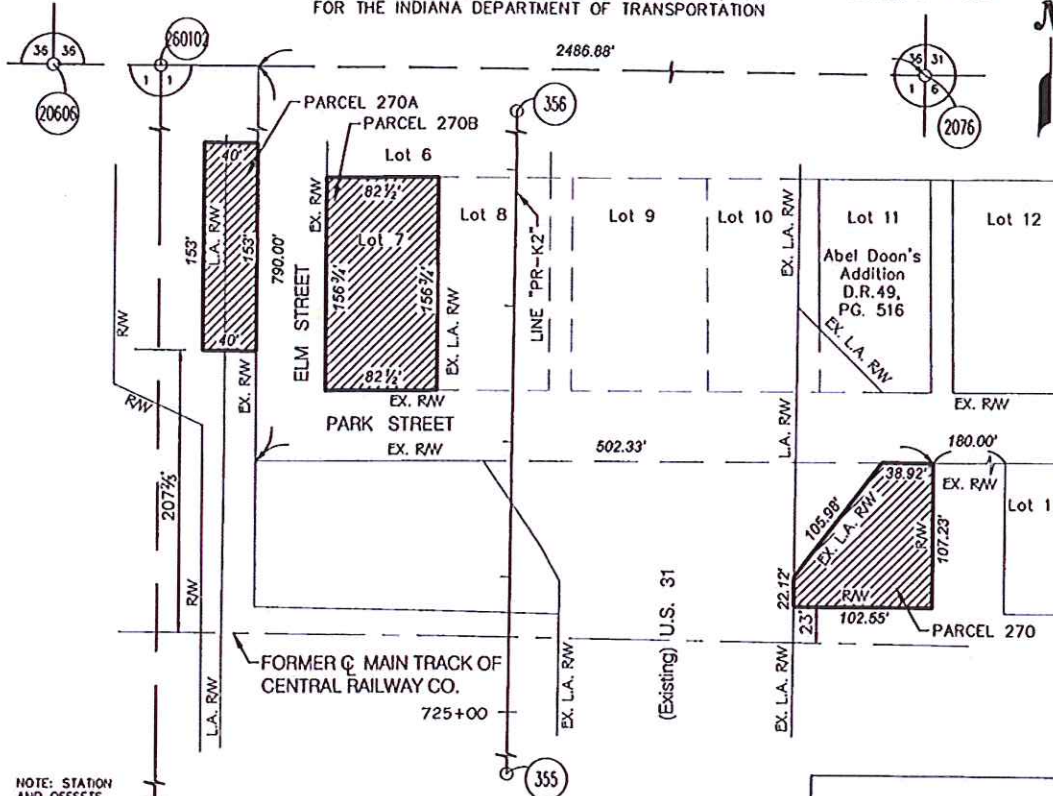
Page 8 of 34

## EXHIBIT "B" RIGHT-OF-WAY PARCEL PLAT

PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.  
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 1

0 50 100  
SCALE: 1" = 100'



NOTE: STATION  
AND OFFSETS  
CONTROL OVER  
BOTH NORTH  
& EAST  
COORDINATES  
AND BEARINGS  
& DISTANCES

\* SEE LOCATION CONTROL  
ROUTE SURVEY FOR  
ADDITIONAL POINTS

### COORDINATE CHART (FEET)

POINT	NORTHING	EASTING	STATION	OFFSET	SIDE	LINE
353	53827.5171	48904.6038	679+85.52	0.00	-	*PR-K2*
355	58151.6862	48342.5853	723+59.67	0.00	-	*PR-K2*
356	60003.5274	48358.3729	742+11.56	0.00	-	*PR-K2*
2076	* REFER	TO L.C.R.S.				
20608	* REFER	TO L.C.R.S.				
260102	* REFER	TO L.C.R.S.				
260103	* REFER	TO L.C.R.S.				

**SURVEYOR'S STATEMENT**  
TO THE BEST OF MY KNOWLEDGE AND  
BELIEF THIS PLAT, TOGETHER WITH  
THE "LOCATION CONTROL ROUTE  
SURVEY" RECORDED AS INSTRUMENT  
NO. 2002053314 IN THE OFFICE OF  
THE RECORDER OF HAMILTON COUNTY,  
INDIANA, (INCORPORATED AND MADE  
A PART HEREOF BY REFERENCE)  
COMPRISE A ROUTE SURVEY  
EXECUTED IN ACCORDANCE WITH  
INDIANA ADMINISTRATIVE CODE 865  
IAC 1-12, ("RULE 12").



FRED L. BENGE DATE  
REG. LAND SURVEYOR No. LS0408

OWNER: WESTFIELD LP GAS CORPORATION

PARCEL: 270

ROAD: U.S. 31

COUNTY: HAMILTON

SECTION: 1

TOWNSHIP: 18 NORTH

RANGE: 3 EAST

PROJECT: 0710215

DES. No.: 0900265

CODE: 5310



DRAWN BY: D.TRUEBLOOD DATE: 08-11-11  
CHECKED BY: F. BENGE DATE: 08-15-11

WARRANTY DEED INSTR. #200400060064	DATED: 08-25-2004
WARRANTY DEED INSTR. #200400060066	DATED: 08-25-2004
WARRANTY DEED INSTR. #200400060067	DATED: 08-25-2004
KEY No. 29-09-01-201-009.000-015	TAKING = 0.297 Ac.
KEY No. 29-09-01-207-001.000-015	TAKING = 0.190 Ac.
KEY No. 29-09-01-201-013.000-015	TAKING = 0.141 Ac.

Exhibit 3

Page 9 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 276-Fee Simple with Partial Limitation of Access  
Form WL-2  
Key Number 29-09-01-102-003.000-015

Sheet 1 of 1

A part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked "Exhibit B", more particularly described as follows: Commencing at the Northeast corner of said Northwest Quarter; thence South 0 degrees 00 minutes 28 seconds West 40.00 feet along the east line of said Northwest Quarter and the prolonged east line of said grantor's land to the point of beginning of this description, which point is on the south boundary of S.R. 32; thence continuing South 0 degrees 00 minutes 28 seconds West 687.10 feet along said east line; thence South 89 degrees 59 minutes 58 seconds West a distance of 33.00 feet; thence North 0 degrees 00 minutes 28 seconds East 386.33 feet to point "27615" on said plat; thence North 89 degrees 32 minutes 36 seconds West 49.55 feet to the west line of said grantor's land; thence North 0 degrees 27 minutes 40 seconds East 300.15 feet to said south boundary of S.R. 32; thence North 89 degrees 49 minutes 54 seconds East 80.18 feet along said boundary to the point of beginning, and containing 0.854 acres, more or less.

TOGETHER, with the permanent extinguishment of all rights and easement of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), along the lines described as follows: Beginning on the east line of said Quarter section South 0 degrees 00 minutes 28 seconds West 198.99 feet from the Northeast corner; thence North 55 degrees 14 minutes 34 seconds West a 98.57 feet and terminating on west line of said grantor's land. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 26<sup>th</sup> day of September, 2011



  
  
Fred L. Bengé

Exhibit 3

Page 10 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

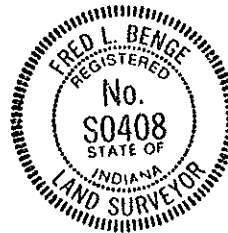
Sheet 1 of 1

PARCEL NO.: 276A-Fee Simple with No Limitation of Access

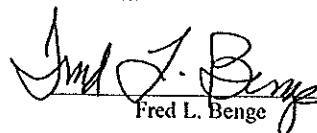
Form WD-1

Key Number 29-09-01-102-004.000-015

A part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked "Exhibit B", more particularly described as follows: Commencing at the Northeast corner of said Northwest Quarter; thence South 0 degrees 00 minutes 28 seconds West along the east line of said quarter section 727.10 feet to the point of beginning of this description; thence continuing South 0 degrees 00 minutes 28 seconds West 20.88 feet; thence North 65 degrees 11 minutes 29 seconds West 36.35 feet; thence North 0 degrees 01 minute 02 seconds East 5.62 feet; thence North 89 degrees 59 minutes 58 seconds East 33.00 feet to the point of beginning and containing 0.010 acres, more or less.



This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 26<sup>th</sup> day of September, 2011

  
Fred L. Bengé

## Page 11 of 34

### RIGHT-OF-WAY PARCEL PLAT

PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.  
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

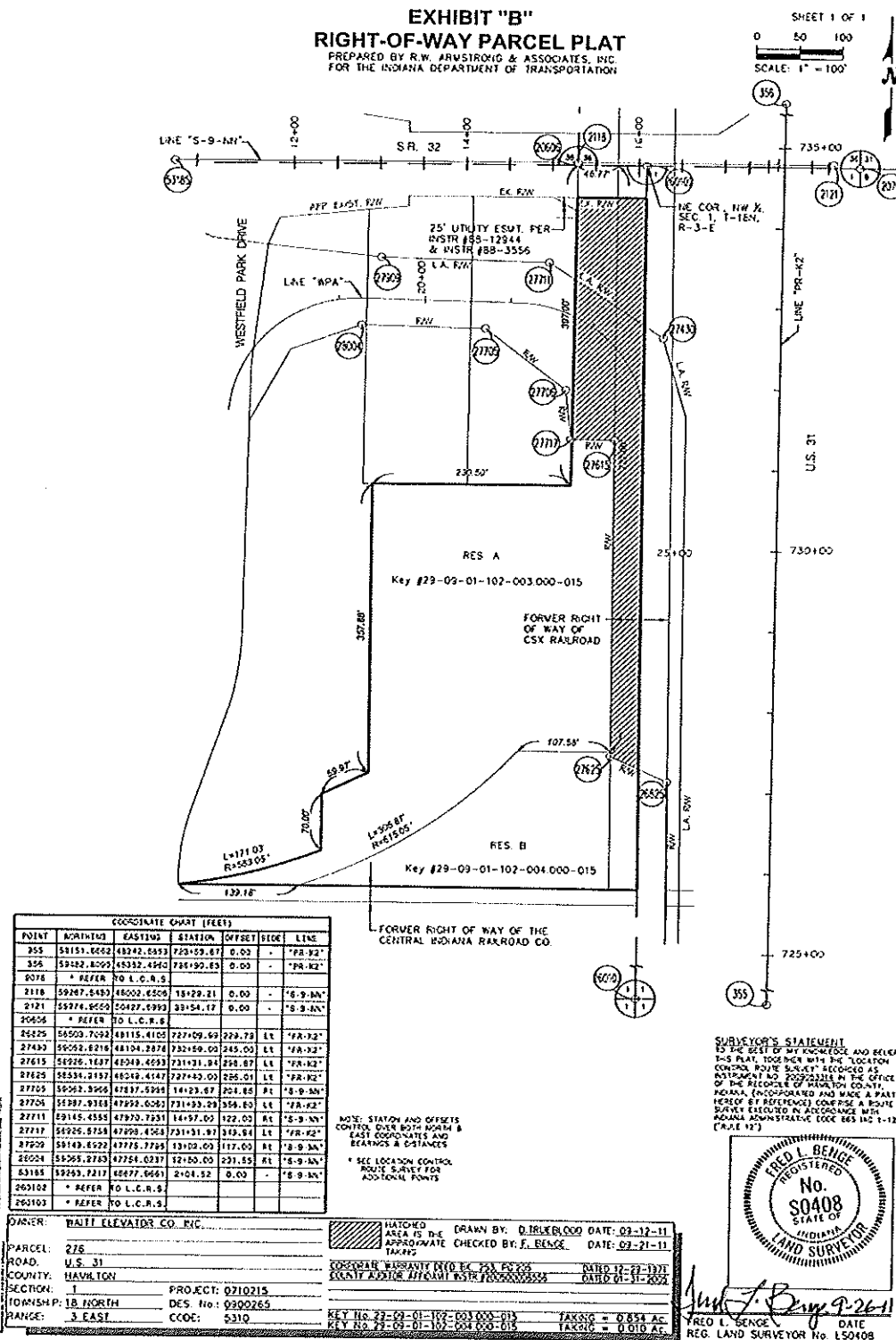




Exhibit 3

Page 11 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

Sheet 1 of 2

PARCEL NO.: 277-Fee Simple with Partial Limitation of Access

Form WL-2

Key Number 29-09-01-102-002.001-015

A part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, being bounded as follows: Beginning at a point on the North line of the Northwest Quarter of Section 1, Township 18 North, Range 3 East, said point of Beginning being the Northeast corner of a 1.10 acre tract of land described in Instrument #8553 and recorded in Deed Record 197, page 18 in the records of Hamilton County, Indiana and being 81.2 feet measured (83 feet prior description) West of the Northeast corner of said Northwest Quarter; thence South 147.75 feet along the East line of said 1.10 acre tract of Land; thence West 120.75 feet parallel with the North line of said Northwest Quarter to the West line of said 1.10 acre tract of Land; thence North 147.75 feet along the West line of said 1.10 acre tract of Land to its Northwest corner and the north line of said Northwest Quarter; thence East 120.75 feet along the North line of said Northwest Quarter to the point of Beginning.

**EXCEPT:**

A part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East, Hamilton County, Indiana, described as follows:

Commencing at the Northeast corner of said Quarter Section; thence South 88 degrees 48 minutes 00 seconds West 83.00 feet along the North line of said Quarter Section; thence South 0 degrees 34 minutes 00 seconds East 25.00 feet along the East line of the Owners' land to the South Boundary of SR 32 and the point of Beginning of this description; thence South 0 degrees 34 minutes 00 seconds East 31.14 feet along said East line of the Owner's Land; thence North 58 degrees 56 minutes 57 seconds West 30.25 feet; thence South 88 degrees 48 minutes 00 seconds West 94.99 feet to the West line of the Owners' Land; thence North 0 degrees 34 minutes 00 seconds West 15.00 feet along the West line of the Owners' Land to the South Boundary of S.R. 32; thence North 88 degrees 48 minutes 00 seconds East 120.75 feet along the Boundary of said S.R. 32 to the Point of Beginning.

Exhibit 3

Page 12 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

Sheet 2 of 2

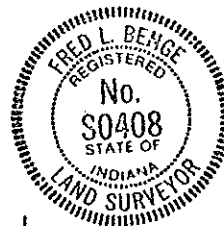
PARCEL NO.: 277-Fee Simple with Partial Limitation of Access

Form WL-2

Key Number 29-09-01-102-002.001-015

TOGETHER, with the permanent extinguishment of all rights and easement of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215) and being part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked "Exhibit B", along the lines described as follows: Commencing at the Southeast corner of the Southwest Quarter of Section 36, Township 19 North, Range 3 East; thence South 0 degrees 27 minutes 40 seconds West 142.55 feet along the east line of said grantor's land to the point of beginning of this description; thence North 55 degrees 14 minutes 34 seconds West 37.39 feet to point "27711" on said plat; thence North 88 degrees 41 minutes 48 seconds West 89.87 feet and terminating on west line of said grantor's land. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 23<sup>rd</sup> day of September, 2011



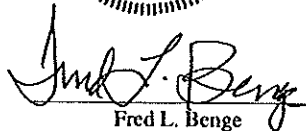
  
Fred L. Bengé

Exhibit 3

Page 13 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 277A-Fee Simple  
Form WL-2  
Key Number 29-09-01-102-002.000-015

Sheet 1 of 1

A part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked "Exhibit B", described as follows: Commencing at the Northeast corner of said Quarter Section; thence South 89 degrees 49 minutes 07 seconds West 79.86 feet (83 feet deduced from Instrument 2008001689) along the north line of said Quarter Section; thence South 0 degrees 27 minutes 40 seconds West a distance of 147.74 feet along the prolonged east line and the east line of said grantor's land to the point of beginning of this description; thence continuing South 0 degrees 27 minutes 40 seconds West 192.39 feet along said line to point "27616" on said plat; thence North 89 degrees 32 minutes 36 seconds West 1.51 feet to point "27717" on said plat; thence North 5 degrees 57 minutes 18 seconds West 61.70 feet to point "27706" on said plat; thence North 51 degrees 44 minutes 14 seconds West 120.24 feet to point "27705" on said plat; thence North 88 degrees 50 minutes 59 seconds 17.34 feet to the west line of said grantor's land; thence North 0 degrees 27 minutes 40 seconds East 56.21 feet along said line; thence South 90 degrees 00 minutes 00 seconds East a distance of 120.75 feet to the point of beginning and containing 0.259 acres, more or less.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 23<sup>rd</sup> day of September, 2011



  
  
Fred L. Bengé

Exhibit 3

Page 14 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 277B-Temporary Right of Way for Building Demolition  
Form T-2

Sheet 1 of 1

A part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, described as follows: Commencing at the Northeast corner of said Quarter Section; thence South 89 degrees 49 minutes 07 seconds West 79.86 feet (83 feet deduced from Instrument 2008001689) along the north line of said Quarter Section; thence South 0 degrees 27 minutes 40 seconds West 340.14 feet along the east line of said grantor's land; thence North 89 degrees 32 minutes 36 seconds West 1.51 feet; thence North 5 degrees 57 minutes 18 seconds West 61.70 feet; thence North 51 degrees 44 minutes 14 seconds West 35.40 feet to the point of beginning of this description; thence South 89 degrees 31 minutes 04 seconds West 63.67 feet; thence North 1 degree 54 minutes 58 seconds West 52.15 feet; thence South 51 degrees 44 minutes 14 seconds East 83.31 feet to the point of beginning and containing 0.038 acre, more or less.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 23<sup>rd</sup> day of September, 2011



*Fred L. Bengé*  
Fred L. Bengé

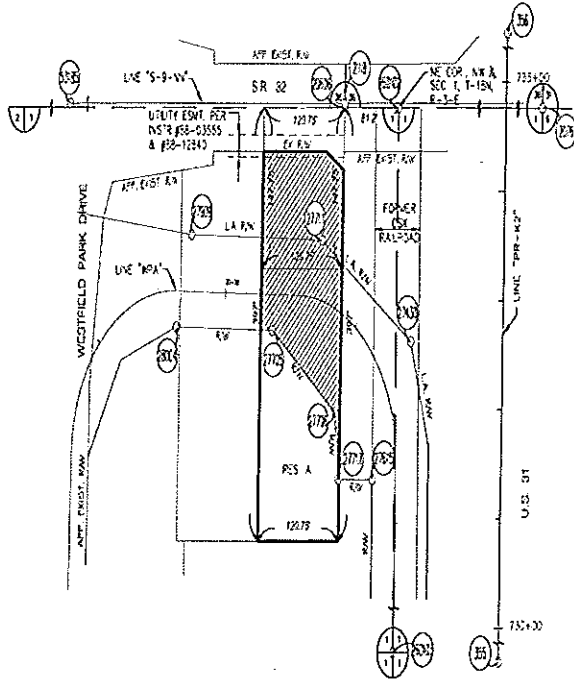
# Exhibit 3

Page 15 of 34

## EXHIBIT "B" RIGHT-OF-WAY PARCEL PLAT

PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.  
FOR THE ARIZONA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 1  
0 50 100  
SCALE 1" = 100'



COORDINATE DATA (FEET)					
POINT	NORTHING	EASTING	STATION	OFFSET	LINE
255	34751.4525	43252.5525	725+50.00	0.00	"P-R-M-A"
256	34752.5274	43252.5525	725+50.00	0.00	"P-R-M-A"
257	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
258	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
259	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
260	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
261	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
262	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
263	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
264	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
265	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
266	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
267	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
268	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
269	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
270	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
271	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
272	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
273	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
274	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
275	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
276	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
277	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
278	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
279	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
280	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
281	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
282	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
283	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
284	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
285	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
286	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
287	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
288	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
289	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"
290	34752.5525	43252.5525	725+50.00	0.00	"P-R-M-A"

NOTE: STATION AND OFFSETS  
CONTROL POINTS ARE NOT  
SHOWN ON THIS PLAT

\* SEE LOCATION CONTROL  
POINTS FOR  
ADDITIONAL DATA

OWNER	ARMSTRONG, INC.	DATE	08-15-11
PARCEL	277	DATE	08-25-11
SECTION	1	PROJECT	07-22-11
TOWNSHIP	18 NORTH	DESIGN	08-02-11
RANGE	3 EAST	DATE	08-15-11



92341  
DATE  
REG. LAND SURVEYOR NO. 152428

SEALING SYSTEM  
TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT, TOGETHER WITH THE  
LOCATION CONTROL POINTS, ARE ACCURATE AS INDICATED AND CONFORM  
WITH THE OFFICE OF THE RECORDS OF MARICOPA COUNTY, ARIZONA, INCORPORATED  
AND HAVE BEEN ACCEPTED BY THE RECORDS OF MARICOPA COUNTY, ARIZONA, INCORPORATED  
IN ACCORDANCE WITH ARIZONA REVISED STATUTES, CHAPTER 1, SECTION 1-2 (PAGE 12)

Exhibit 3

Page 16 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

Sheet 1 of 1

PARCEL NO.: 279-Fee Simple with Partial Limitation of Access

Form WL-2

Key Number 29-09-01-102-001.000-015

A part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Commencing at the Southeast corner of the Southwest Quarter of Section 36, Township 19 North, Range 3 East; thence South 89 degrees 50 minutes 09 seconds West 120.75 feet along the south line of said Quarter Section to the prolonged east line of said grantor's land; thence South 0 degrees 27 minutes 40 seconds West along said line 40.00 feet to the point of beginning of this description which point is on the south boundary of S.R. 32; thence continuing South 0 degrees 27 minutes 40 seconds West 163.61 feet along the east line of said grantor's land; thence North 88 degrees 50 minutes 59 seconds West 120.75 feet to the west line of said grantor's land; thence North 0 degrees 27 minutes 40 seconds East 143.69 feet to the Southerly boundary of S.R. 32; thence North 83 degrees 58 minutes 21 seconds East 46.52 feet along said boundary to point "27906" on said plat; thence North 0 degrees 19 minutes 01 second West 12.39 feet along said boundary to point "27905" on said plat; thence North 89 degrees 49 minutes 55 seconds East 74.69 feet along said boundary to the point of beginning and containing 0.434 acres, more or less.

TOGETHER, with the permanent extinguishment of all rights and easement of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), along the lines described as follows: Commencing at said Southeast corner of the Southwest Quarter of Section 36, Township 19 North, Range 3 East; thence South 89 degrees 50 minutes 09 seconds West 120.75 feet to said prolonged east line of said grantor's land; thence South 0 degrees 27 minutes 40 seconds West 118.85 feet along said line and the east line of said grantor's land to the point of beginning of this description; thence North 88 degrees 41 minutes 48 seconds West 105.20 feet to point "27909" on said plat; thence North 83 degrees 17 minutes 43 seconds West 15.65 feet and terminating on West line of said grantor's land. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 28<sup>th</sup> day of September, 2011


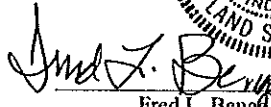
  
  
Fred L. Bengé

Exhibit 3

Page 17 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

Sheet 1 of 1

PARCEL NO.: 279A-Temporary Right of Way for Building Demolition

Form T-2

A part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, described as follows: Commencing at the Southeast corner of the Southwest Quarter of Section 36, Township 19 North, Range 3 East; thence South 89 degrees 50 minutes 09 seconds West 120.75 feet along the south line of said Section Quarter to the prolonged east line of the grantor's land; thence South 0 degree 27 minutes 40 seconds West 203.60 feet along said line and the east line of said grantor's land; thence North 88 degrees 15 minutes 52 seconds West 11.24 feet to the point of beginning of this description; thence South 0 degrees 09 minutes 56 seconds East 65.92 feet; thence South 89 degrees 50 minutes 04 seconds West 100.00 feet; thence North 0 degrees 09 minutes 56 seconds West 68.11 feet; thence South 88 degrees 54 minutes 55 seconds East 100.02 feet to the point of beginning and containing 0.154 acre, more or less.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 28<sup>th</sup> day of September, 2011


  
*Fred L. Bengé*  
Fred L. Bengé

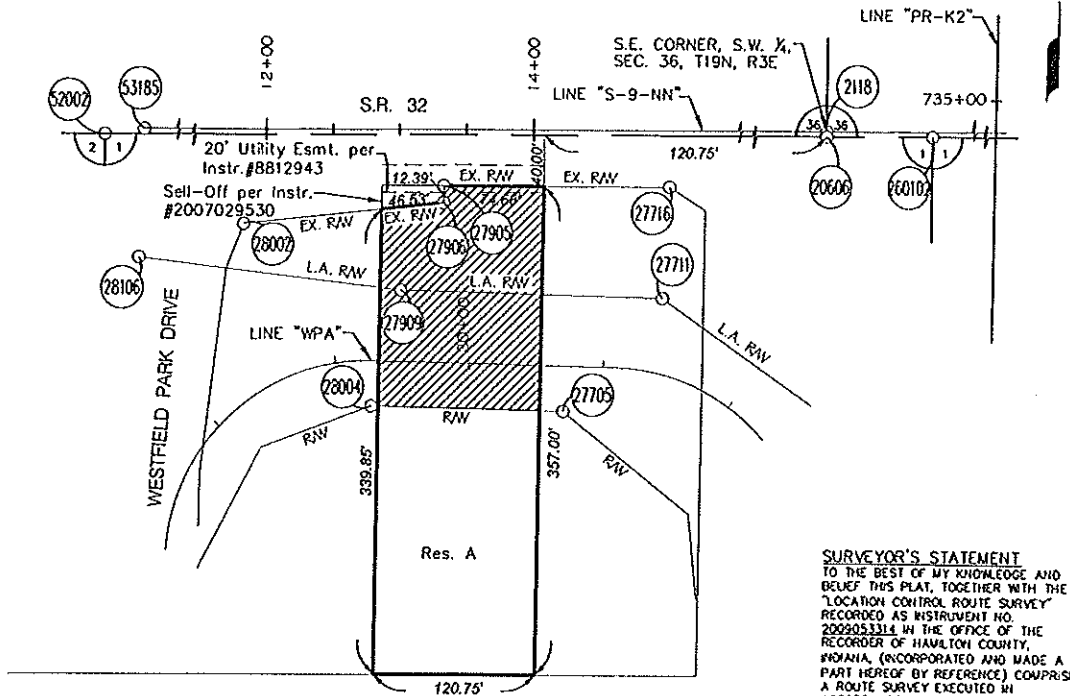
Exhibit 3

Page 18 of 34

**EXHIBIT "B"**  
**RIGHT-OF-WAY PARCEL PLAT**  
PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.  
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 1

0 50 100  
SCALE: 1" = 100'

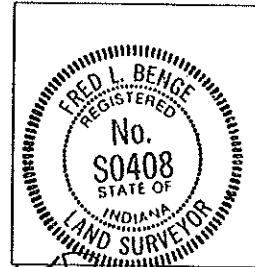


**SURVEYOR'S STATEMENT**  
TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT, TOGETHER WITH THE "LOCATION CONTROL ROUTE SURVEY" RECORDED AS INSTRUMENT NO. 2009053314 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, (INCORPORATED AND MADE A PART HEREOF BY REFERENCE) COMPOSE A ROUTE SURVEY EXECUTED IN ACCORDANCE WITH INDIANA ADMINISTRATIVE CODE 855 IAC 1-12, ("RULE 12").

COORDINATE CHART (FEET)						
POINT	NORTHING	EASTING	STATION	OFFSET	SIDE	LINE
2118	59287.5480	48002.6506	15+29.21	0.00	-	"S-9-NN"
20606	* REFER	TO L.C.R.S.				
27705	59062.3986	47897.5998	14+23.57	204.85	Rt	"S-9-NN"
27711	59145.4555	47970.7931	14+97.00	122.00	Rt	"S-9-NN"
27716	59226.6261	47975.2321	15+01.67	40.84	Rt	"S-9-NN"
27905	59226.1327	47806.8930	13+33.33	40.85	Rt	"S-9-NN"
27906	59213.7397	47806.9616	13+33.37	53.24	Rt	"S-9-NN"
27909	59149.8922	47775.7795	13+02.00	117.00	Rt	"S-9-NN"
28002	59197.9105	47657.1353	11+83.50	68.64	Rt	"S-9-NN"
28004	59065.2783	47754.0237	12+80.00	201.55	Rt	"S-9-NN"
28106	59172.9553	47579.5952	11+05.88	93.37	Rt	"S-9-NN"
52002	* REFER	TO L.C.R.S.				
53185	59263.7217	46677.9681	2+04.52	0.00	-	"S-9-NN"
260102	* REFER	TO L.C.R.S.				

NOTE: STATION AND OFFSETS CONTROL OVER BOTH NORTH & EAST COORDINATES AND BEARINGS & DISTANCES

\* SEE LOCATION CONTROL ROUTE SURVEY FOR ADDITIONAL POINTS



*Fred L. Benge* 9-28-11  
FRED L. BENGE DATE  
REG. LAND SURVEYOR No. LS0408

OWNER: R.L. WILFONG LAND CORP.  
PARCEL: 279  
ROAD: U.S. 31  
COUNTY: HAMILTON  
SECTION: 1 PROJECT: 0710215  
TOWNSHIP: 18 NORTH DES. No.: 0900265  
RANGE: 3 EAST CODE: 5310

HATCHED AREA IS THE APPROXIMATE TAKING

DRAWN BY: D. TRUEBLOOD DATE: 08-30-11  
CHECKED BY: F. BENGE DATE: 08-27-11

WARRANTY DEED INSTR. #200300123835 DATED: 12-04-2003  
WARRANTY DEED INSTR. #2009002807 DATED: 12-31-2008

KEY No. 29-09-01-102-001.000-015 TAKING = 0.434 Ac.



Exhibit 3

Page 19 of 34

**EXHIBIT "A"**

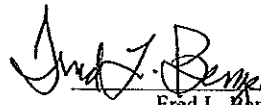
PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 280-Fee Simple with Partial Limitation of Access  
Form WL-2  
Key Number 29-09-01-000-003.101-015

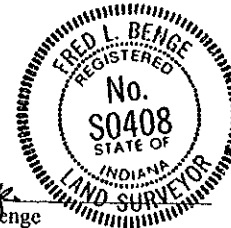
Sheet 1 of 1

Part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East, located in Washington Township, Hamilton County, Indiana and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked "Exhibit B", described as follows: Commencing at the Northeast corner of said Northwest Quarter Section; thence South 89 degrees 49 minutes 07 seconds West 79.86 feet to the Southeast corner of the Southwest Quarter of Section 36, Township 19 North, Range 3 East; thence South 89 degrees 50 minutes 21 seconds West 241.50 feet to the prolonged east line of said grantor's land; thence South 0 degrees 27 minutes 40 seconds West 57.16 feet along said line to the point of beginning of this description; thence continuing South 0 degrees 27 minutes 40 seconds West 143.69 feet along the east line of said grantor's land; thence North 88 degrees 51 minutes 55 seconds West 5.52 feet to point "28004" on said plat; thence South 69 degrees 32 minutes 37 seconds West 87.27 feet to point "28005" on said plat; thence South 27 degrees 46 minutes 38 seconds West 100.64 feet to the west line of said grantor's land; thence North 1 degree 02 minutes 08 seconds East 69.43 feet along said line to the Southerly boundary of S.R. 32; thence North 6 degrees 46 minutes 32 seconds East 150.76 feet along said boundary; thence North 21 degrees 04 minutes 48 seconds East 35.43 feet along said boundary; thence North 83 degrees 58 minutes 03 seconds East 104.14 feet to the point of beginning and containing 0.478 acres, more or less.

TOGETHER, with the permanent extinguishment of all rights and easement of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), along the lines described as follows: Commencing at the Northeast corner of said Northwest Quarter Section; thence South 89 degrees 49 minutes 07 seconds West 79.86 feet to the Southeast corner of the Southwest Quarter of Section 36, Township 19 North, Range 3 East; thence South 89 degrees 50 minutes 21 seconds West 241.50 feet to the prolonged east line of said grantor's land; thence South 0 degrees 27 minutes 40 seconds West 114.29 feet along said line and the east line of said grantor's land to the point of beginning of this description; thence North 83 degrees 17 minutes 43 seconds West 116.46 feet terminating on west line of said grantor's land. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Benge, Indiana Registered Land Surveyor, License Number LS80040408, on the 28th day of September, 2011

  
Fred L. Benge



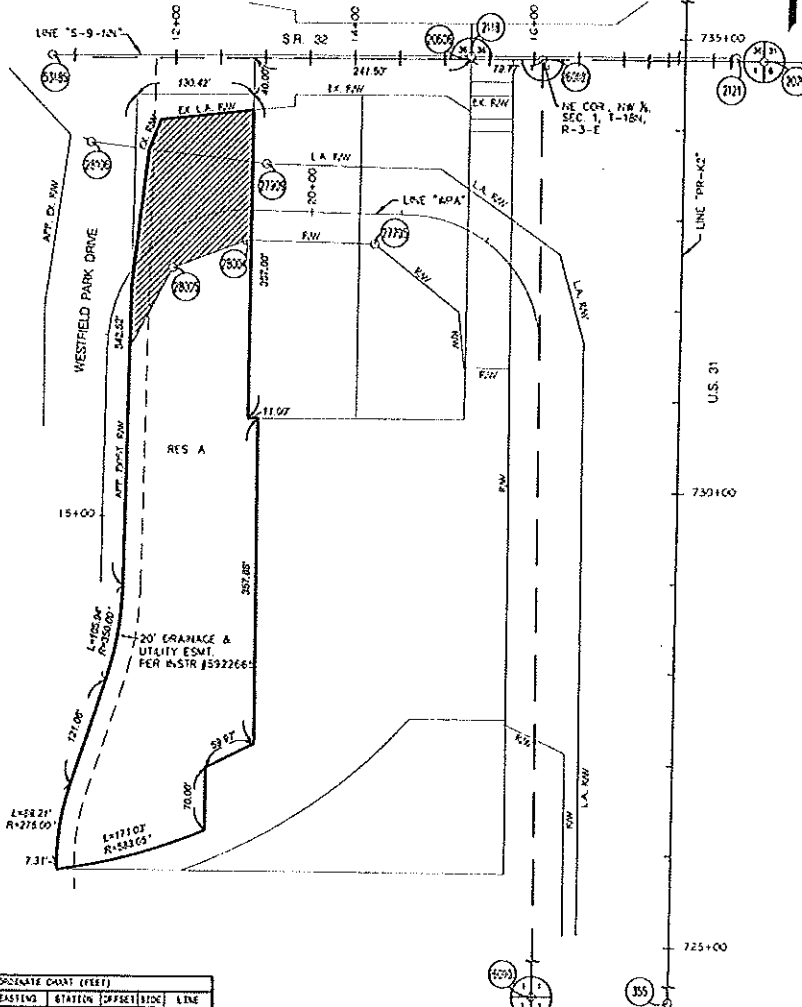
# Exhibit 3

Page 20 of 34

## EXHIBIT "B" RIGHT-OF-WAY PARCEL PLAT

PREPARED BY R.W. JANSING & ASSOCIATES, INC.  
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

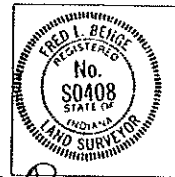
SHEET 1 OF 1  
0 50 100  
SCALE: 1" = 100'



POINT	NORTHING	EASTING	STATION	OFFSET	LINE
205	58151.4512	43947.5493	723+53.67	0.00	"18-9-2"
206	58132.8591	43932.4509	726+93.83	0.00	"18-9-2"
207	* REFER TO L.C.R.S.				
2113	58247.4810	45002.8504	15+29.31	0.00	"8-9-3N"
2121	58274.8551	45427.5593	33+54.17	0.00	"8-9-3N"
20604	* REFER TO L.C.R.S.				
27725	58562.3565	47837.5593	14+23.57	254.85	RT "8-9-3N"
27809	58149.8322	47775.7735	13+50.60	117.05	RT "8-9-3N"
28004	58245.2783	47784.6237	11+50.60	251.55	RT "8-9-3N"
28005	58034.7783	47872.2544	11+58.14	251.82	RT "8-9-3N"
28106	58172.5553	47872.5512	11+58.14	93.37	RT "8-9-3N"
53155	58263.7217	48477.8061	2+01.82	0.00	"8-9-3N"
265122	* REFER TO L.C.R.S.				
263123	* REFER TO L.C.R.S.				

NOTE: STATION AND OFFSETS  
CONFORM WITH BOTH NORTH &  
EAST COORDINATES AND  
BEARINGS & DISTANCES  
\* SEE LOCATION CONTROL  
ROUTE SURVEY FOR  
ADDITIONAL POINTS

SURVEYOR'S STATEMENT  
TO THE BEST OF MY KNOWLEDGE AND BELIEF  
THIS PLAT, TOGETHER WITH THE LOCATION  
CONTROL ROUTE SURVEY, RECORDED AS  
INSTRUMENT NO. 09223212 IN THE OFFICE  
OF THE RECORDER OF HAMILTON COUNTY,  
INDIANA, INCORPORATED AND MADE A PART  
HEREOF BY REFERENCE, COMPREHENDS A ROUTE  
SURVEY EXECUTED IN ACCORDANCE WITH  
INDIANA ADMINISTRATIVE CODE 655 IAC 1-12,  
(PAGE 127)



OWNER: MILLER BRANCH LIMITED PARTNERSHIP  
PARCEL: 280  
ROAD: U.S. 31  
COUNTY: HAMILTON  
SECTION: 1  
TOWNSHIP: 18 NORTH  
RANGE: 3 EAST  
PROJECT: Q210215  
DES NO: 0920265  
CODE: 5310  
DRAWN BY: QJANSING DATE: 09-20-11  
CHECKED BY: F. BENGÉ DATE: 09-27-11  
INSTRUMENT NO. 09223212 DATE: 07-21-1992  
KEY NO. 21-02-01-000-001101-015  
TAXID: 0.478 AC

FRED L. BENGÉ  
REG. LAND SURVEYOR No. 50408  
DATE: 9-28-11

Exhibit 3

Page 21 of 34

EXHIBIT "A"

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 282-Fee Simple  
Form WD-1  
Key Number 29-09-01-000-003.002-015

Sheet 1 of 2

Part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, and being that part of the grantors' land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked "Exhibit B", described as follows: Commencing at the Northeast corner of the Northwest quarter of said Quarter section; thence South 89 degrees 49 minutes 07 seconds west 79.86 feet (79.77 feet deduced from Instr. #2011021998) to the Southwest corner of the Southeast Quarter of Section 36, Township 19 North, Range 3 East; thence South 89 degrees 50 minutes 14 seconds West 551.56 feet along the north line of said Quarter Section to the Northeast corner of said grantors' land; thence South 1 degree 02 minutes 13 seconds West 687.84 feet along the east line of said grantors' land to the point of beginning of this description; thence continuing South 1 degree 02 minutes 13 seconds West 206.83 feet along said line to the south line of said grantors' land; thence North 89 degrees 54 minutes 40 seconds West 21.31 feet along said line to point "44809" on said plat; thence North 22 degrees 02 minutes 46 seconds West 23.27 feet to point "28210" on said plat; thence North 30 degrees 48 minutes 33 seconds West 43.67 feet to point "28211" on said plat; thence North 27 degrees 34 minutes 47 seconds West 43.45 feet to point "28212" on said plat; thence North 19 degrees 37 minutes 17 seconds West 45.58 feet to point "28213" on said plat; thence northwesterly 88.94 feet along an arc to the left having a radius of 547.00 feet and subtended by a long chord having a bearing of North 41 degrees 51 minutes 41 seconds West and a length of 88.85 feet to point "28214" on said plat; thence North 47 degrees 33 minutes 44 seconds West 44.51 feet to point "28217" on said plat; thence North 50 degrees 56 minutes 33 seconds West 44.67 feet to point "28215" on said plat; thence northwesterly 77.54 feet along an arc to the left having a radius of 550.00 feet and subtended by a long chord having a bearing of North 59 degrees 52 minutes 29 seconds West and a length of 77.47 feet; thence northwesterly 145.94 feet along an arc to the left having a radius of 525.00 feet and subtended by a long chord having a bearing of North 13 degrees 01 minute 15 seconds West and a length of 145.47 feet; thence North 21 degrees 22 minutes 09 seconds West 0.82 feet to point "28218" on said plat; thence South 64 degrees 57 minutes 52 seconds East 78.42 feet to point "28207" on said plat; thence South 58 degrees 04 minutes 13 seconds East 80.48 feet to point "28208" on said plat; thence southeasterly 244.06 feet along an arc to the right having a radius of 660.00 feet and subtended by a long chord having a bearing of South 47 degrees 34 minutes 17 seconds East and a length of 242.67 feet to the point of beginning and containing 1.093 acres, more or less.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 30<sup>th</sup> day of November, 2011

  
Fred L. Bengé





Exhibit 3

Page 22 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 282A-Fee Simple  
Form WD-1  
Key Number 29-09-01-000-003.003-015

Sheet 2 of 2

Part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked "Exhibit B", described as follows: Commencing at the Northeast corner of the Northwest quarter of said Quarter section; thence South 89 degrees 49 minutes 07 seconds West 79.86 feet (79.77 feet deduced from Instr. #2011021998) along the north line of said Quarter Section to the Southwest corner of the Southeast Quarter of Section 36, Township 19 North, Range 3 East; thence South 89 degrees 50 minutes 14 seconds West 1,240.02 feet along the north line of said Quarter Section to the Northwest corner of said grantors' land; thence South 0 degrees 54 minutes 58 seconds West 218.96 feet along the west line of said property to the point of beginning of this description designated as point "28317" on said plat; thence southeasterly 165.20 feet along an arc to the left having a radius of 245.00 feet and subtended by a long chord having a bearing of South 44 degrees 56 minutes 33 seconds East and a length of 162.09 feet to point "28319" on said plat; thence South 73 degrees 06 minutes 06 seconds East 47.16 feet to point "28320" on said plat; thence South 56 degrees 00 minutes 18 seconds East 51.44 feet to point "28321" on said plat; thence southeasterly 173.59 feet along an arc to the right having a radius of 6,050.00 feet and subtended by a long chord having a bearing of South 66 degrees 09 minutes 14 seconds East and a length of 173.59 feet; thence South 21 degrees 22 minutes 09 seconds East 0.82 feet; thence southeasterly 145.94 feet along an arc to the right having a radius of 525.00 feet and subtended by a long chord having a bearing of South 13 degrees 01 minutes 15 seconds East and a length of 145.47 feet; thence North 64 degrees 17 minutes 22 seconds West 7.22 feet to point "28322" on said plat; thence North 64 degrees 39 minutes 56 seconds West 13.30 feet to point "28323" on said plat; thence northwesterly 189.85 feet along an arc to the left having a radius of 5,935.00 feet and subtended by a long chord having a bearing of North 65 degrees 34 minutes 55 seconds West and a length of 189.84 feet to point "28324" on said plat; thence North 62 degrees 28 minutes 00 seconds West 124.34 feet to point "28325" on said plat; thence North 58 degrees 24 minutes 26 seconds West 86.60 feet to point "28326" on said plat; thence North 54 degrees 47 minutes 19 seconds West 26.51 feet to the west line of said grantor's land; thence North 1 degree 01 minute 53 seconds East 164.46 feet along said line to the point of beginning and containing 1.130 acres, more or less.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 30<sup>th</sup> day of November, 2011



*Fred L. Bengé*  
Fred L. Bengé

Exhibit 3

Page 23 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 282B-Utility, Trail and Drainage Easement  
Form PHE-1  
Key Number 29-09-01-000-003.003-015

Sheet 1 of 1

Part of the Northwest Quarter of Section 1, Township 18 North, Range 3 East in Washington Township, Hamilton County, Indiana, and being that part of the grantors' land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked "Exhibit B", described as follows: Commencing at the Northeast corner of the Northwest quarter of said Quarter section; thence South 89 degrees 49 minutes 07 seconds West 79.86 feet (79.77 feet deduced from Instr. #2011021998) along the north line of said Quarter Section to the Southwest corner of the Southeast Quarter of Section 36, Township 19 North, Range 3 East; thence South 89 degrees 50 minutes 14 seconds West 1,240.02 feet along the north line of said Quarter Section to the Northwest corner of said grantors' land; thence South 0 degrees 57 minutes 56 seconds West 383.42 feet along the west line of said grantors' land to the south boundary of Westfield Park Drive, and the point of beginning of this description designated as point "28327" on said plat; thence South 54 degrees 47 minutes 19 seconds East 26.51 feet along said boundary to point "28326" on said plat; thence South 58 degrees 24 minutes 26 seconds East 3.58 feet along said boundary to point "28219" on said plat; thence South 0 degrees 57 minutes 56 seconds West 491.02 feet to the south line of said grantors' land; thence North 89 degrees 54 minutes 01 seconds West 25.00 feet along said line to the west line of said grantors' land; thence North 0 degrees 57 minutes 56 seconds East 508.14 feet along said line to the point of beginning and containing 0.287 acres, more or less.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 11<sup>th</sup> day of January, 2013



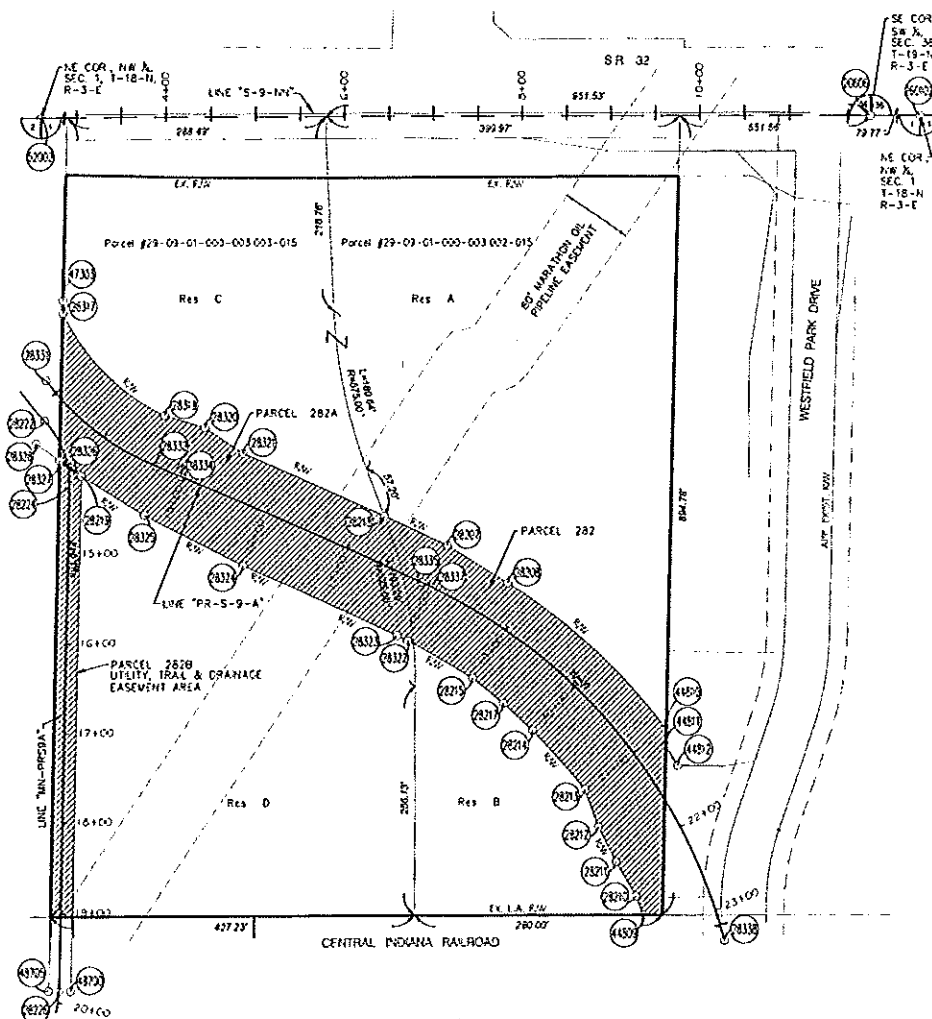
*Fred L. Bengé*  
Fred L. Bengé

## Page 24 of 34

SHEET 1 OF 2

0 50 100

SCALE: 1" = 100'

[illegible]

# Exhibit 3

Page 25 of 34

## EXHIBIT "B" RIGHT-OF-WAY PARCEL PLAT PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC. FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

SHEET 2 OF 2

COORDINATE CHART (FEET)						
POINT	NORTHING	EASTING	STATION	OFFSET	SIDE	LINE
20506	* REFER TO L.C.R.S.					
20507	44783.8782	47131.2274	18+00.00	50.00	LT	"PR-S-9-A"
20508	44741.1153	47219.5264	18+75.00	43.00	LT	"PR-S-9-A"
20510	44890.1914	47454.4653	22+50.00	78.00	RT	"PR-S-9-A"
20511	44820.6062	47382.4990	22+00.00	82.00	RT	"PR-S-9-A"
20512	44864.2077	47362.3633	21+50.00	80.00	RT	"PR-S-9-A"
20513	44811.1332	47347.6783	21+00.00	68.00	RT	"PR-S-9-A"
20514	44877.5267	47237.7889	20+50.00	68.00	RT	"PR-S-9-A"
20515	44835.4857	47223.2553	19+00.00	65.00	RT	"PR-S-9-A"
20517	44657.5475	47254.9402	19+50.00	87.00	RT	"PR-S-9-A"
20518	44816.6058	47125.1717	17+25.18	50.00	RT	"PR-S-9-A"
20519	44682.6381	46765.8327	14+13.73	13.50	LT	"MN-FASBA"
20520	44923.8563	46733.0669	13+43.90	0.00	-	"MN-FASBA"
20521	44852.0979	46767.7132	14+23.23	0.00	-	"MN-FASBA"
20522	44829.5158	46758.2144	13+44.90	0.00	-	"MN-FASBA"
20517	44944.2360	46759.1390	12+47.72	50.00	RT	"PR-S-9-A"
20518	44929.5111	46873.4395	11+50.00	50.00	RT	"PR-S-9-A"
20520	44915.8541	46818.7563	10+20.00	60.00	RT	"PR-S-9-A"
20521	44887.6431	46661.4043	10+50.00	50.00	LT	"PR-S-9-A"
20522	44877.5225	47148.7415	18+05.23	85.00	RT	"PR-S-9-A"
20523	44683.1933	47134.7212	17+01.93	85.00	LT	"PR-S-9-A"
20524	44761.8726	46961.8431	16+00.00	85.00	LT	"PR-S-9-A"
20525	44819.1522	46851.6016	14+25.00	65.00	LT	"PR-S-9-A"
20526	44844.5161	46777.8399	14+11.83	10.43	LT	"MN-FASBA"
20527	44879.8029	46756.1784	13+32.94	7.82	RT	"MN-FASBA"
20528	44856.4735	46729.7223	13+50.00	35.00	LT	"PR-S-9-A"
20531	44953.7227	46682.0593	11+12.17	0.00	-	"PR-S-9-A"
20532	44873.0496	46665.2014	10+64.93	0.00	-	"PR-S-9-A"
20534	44861.8784	46581.9227	10+55.85	0.00	-	"PR-S-9-A"
20535	44741.9419	47162.6242	17+51.50	0.00	-	"PR-S-9-A"
20537	44728.7511	47174.5552	16+25.23	0.00	-	"PR-S-9-A"
20538	44880.5549	47056.3952	24+90.33	0.00	-	"PR-S-9-A"
44829	44870.6252	47413.6933	22+76.65	77.54	RT	"PR-S-9-A"
44830	44977.2928	47435.6406	21+02.42	45.00	LT	"PR-S-9-A"
44811	44959.4263	47438.3241	21+15.85	34.06	LT	"PR-S-9-A"
44812	44957.4164	47431.7392	21+02.24	32.67	LT	"PR-S-9-A"
44823	44958.1763	46729.1847	13+31.88	60.74	RT	"PR-S-9-A"
44820	44826.2967	46771.2129	13+38.90	13.60	LT	"MN-FASBA"
44855	44856.7179	46748.2163	12+38.90	12.00	RT	"MN-FASBA"
50502	* REFER TO L.C.R.S.					
762102	* REFER TO L.C.R.S.					

NOTE: STATION AND OFFSETS  
CONTROL OVER 85% NORTH &  
EAST COORDINATES AND  
BEARINGS & DISTANCES

\* SEE LOCATION CONTROL  
FOUR SURVEY FOR  
ADDITIONAL POINTS

### SURVEYOR'S STATEMENT

TO BE FILED WITH THE PLAT, TOGETHER WITH THE "LOCATION CONTROL ROUTE SURVEY"  
RECORDED AS INSTRUMENT NO. 220032333 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA  
(INCORPORATED AND MADE A PART HEREOF BY REFERENCE) CONFORMS TO A ROUTE SURVEY EXECUTED IN ACCORDANCE  
WITH INDIANA CONSTITUTION CODE 815 ICS 1-12, (PLATE 12)

OWNER: HOUSE, LARRY D. ET AL. DRAWN BY: Q. DUKER, DATE: 11-29-11  
CHECKED BY: F. BENCE, DATE: 11-29-11  
PARCEL: 282  
ROAD: U.S. 31  
COUNTY: HAMILTON  
SECTION: 1 PROJECT: 0210215  
TOWNSHIP: 18 NORTH DES No: 0900285  
RANGE: 3 EAST CODE: 5310



*Fred L. Bence* 11-1-13  
FRED L. BENCE  
REG. LAND SURVEYOR No. 50408

Exhibit 3

Page 26 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 314-Fee Simple with Partial Limitation of Access  
Form WL-2

Sheet 1 of 3

Key Number 29-05-36-000-029.000-015

A part of the Southeast Quarter of Section 36, Township 19 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Commencing at the Southwest corner of the Southeast Quarter of Section 36 Township 19 North, Range 3 East, thence North 88 degrees 16 minutes 30 seconds East (assumed bearing) on and along the South line of said Southeast Quarter 111.20 feet to the East right-of-way line of the Monon Railroad; thence North 01 degrees 07 minutes 30 seconds West on and along said East right-of-way line 1,145.77 feet (foregoing portion of this description beginning with the words "Commencing at" is quoted from Instrument #199909964356 recorded in the Office of the Recorder of Hamilton County, Indiana) to the south line of said grantor's land; thence North 89 degrees 49 minutes 30 seconds East 107.57 feet along said line to the point of beginning of this description, designated as point "31316" on said plat; thence North 21 degrees 12 minutes 47 seconds East 160.37 feet to point "31424" on said plat; thence North 17 degrees 37 minutes 37 seconds East 180.32 feet to the north line of said grantor's land; thence North 89 degrees 49 minutes 13 seconds East 45.66 feet along said line to the west boundary of a Dedicated Roadway per Instrument #8925473; thence along said boundary southwesterly 321.84 feet along an arc to the left having a radius of 5,846.58 feet and subtended by a long chord having a bearing of South 3 degrees 50 minutes 26 seconds West and a length of 321.80 feet to the south line of said grantor's land; thence South 89 degrees 49 minutes 30 seconds West 136.74 feet along said line to the point of beginning, containing 0.640 acres, more or less. All bearings in this description which are not quoted from previous instruments are based on the bearing system for State Project 0710215.

TOGETHER with the permanent extinguishment of all rights and easements of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), to and from the grantor's remaining lands along the lines described as follows: The 160.37-foot and 180.32-foot courses described above. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 20<sup>th</sup> day of September, 2011

  
Fred L. Bengé





Exhibit 3

Page 27 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 314A-Fee Simple  
Form WL-2  
Key Number 29-05-36-000-037.001-015

Sheet 2 of 3

A part of the Southwest and Southeast Quarters of Section 36, Township 19 North, Range 3 East, located in Washington Township, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Commencing at a Harrison marker at the southeast corner of the Southeast Quarter of the Southwest Quarter of Section 36, Township 19 North, Range 3 East; thence North 89 degrees 42 minutes 22 seconds West (assumed bearing) 576.00 feet on and along the south line of said southwest quarter; thence North 00 degrees 46 minutes 41 seconds East 630.02 feet; thence North 38 degrees 10 minutes 48 seconds West 244.88 feet to the southeast corner of a 4.326 acre tract of real estate described in Instrument #8919077; thence North 00 degrees 08 minutes 38 seconds East 503.59 feet to a 5/8" iron rod with yellow cap stamped S0083 on the north line of the Southeast Quarter of said Southwest Quarter, said 5/8" iron rod with yellow cap stamped S0083 also being the northeast corner of said 4.326 acre tract; thence South 89 degrees 51 minutes 22 seconds East 365.00 feet on and along the north line of the southeast quarter of said southwest quarter to a 5/8" iron rod with yellow cap stamped S0083 (foregoing portion of this description beginning with the words "Commencing at a Harrison marker" is quoted from Instrument #199909953205 recorded in the Office of the Recorder of Hamilton County, Indiana); thence South 00 degrees 08 minutes 38 seconds West 110.97 feet to a 5/8" iron rod with yellow cap stamped S0083 on the northerly right-of-way line of a dedicated right-of-way described in instrument #9121823 (foregoing portion of this description beginning with the words "thence South 00 degrees 08 minutes 38 seconds West 110.97 feet" is quoted from Instrument #199909953205 recorded in the Office of the Recorder of Hamilton County, Indiana); thence southeasterly 64.92 feet along said right-of-way along an arc to the right having a radius of 50.00 feet and subtended by a long chord having a bearing of South 53 degrees 06 minutes 58 seconds East and a length of 60.46 feet to the point of beginning of this description designated as point "31418" on said plat; thence North 89 degrees 27 minutes 34 seconds East 370.29 feet to the east line of said grantor's land, being designated as point "31419" on said plat; thence South 0 degrees 19 minutes 08 seconds West 43.93

Exhibit 3

Page 28 of 34

**EXHIBIT "A"**

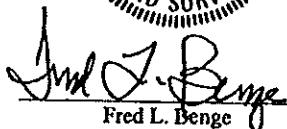
PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 314A-Fee Simple  
Form WL-2  
Key Number 29-05-36-000-037.001-015

Sheet 3 of 3

feet along said line to the south line of said grantors' land; thence South 89 degrees 41 minutes 05 seconds West 377.25 feet along said line to said dedicated right-of-way per Instrument #9121823; thence along said right-of-way northwesterly 44.59 feet along an arc to the left having a radius of 50.00 feet and subtended by a long chord having a bearing of North 9 degrees 37 minutes 42 seconds East and a length of 43.12 feet to the point of beginning, containing 0.367 acres, more or less. All bearings in this description which are not quoted from previous instruments are based on the bearing system for State Project 0710215.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 26<sup>th</sup> day of August, 2011



  
Fred L. Bengé

# Exhibit 3

Page 29 of 34

## EXHIBIT "B" RIGHT-OF-WAY PARCEL PLAT

PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.  
FOR THE IOWA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 1  
0 50 100  
SCALE: 1" = 100'

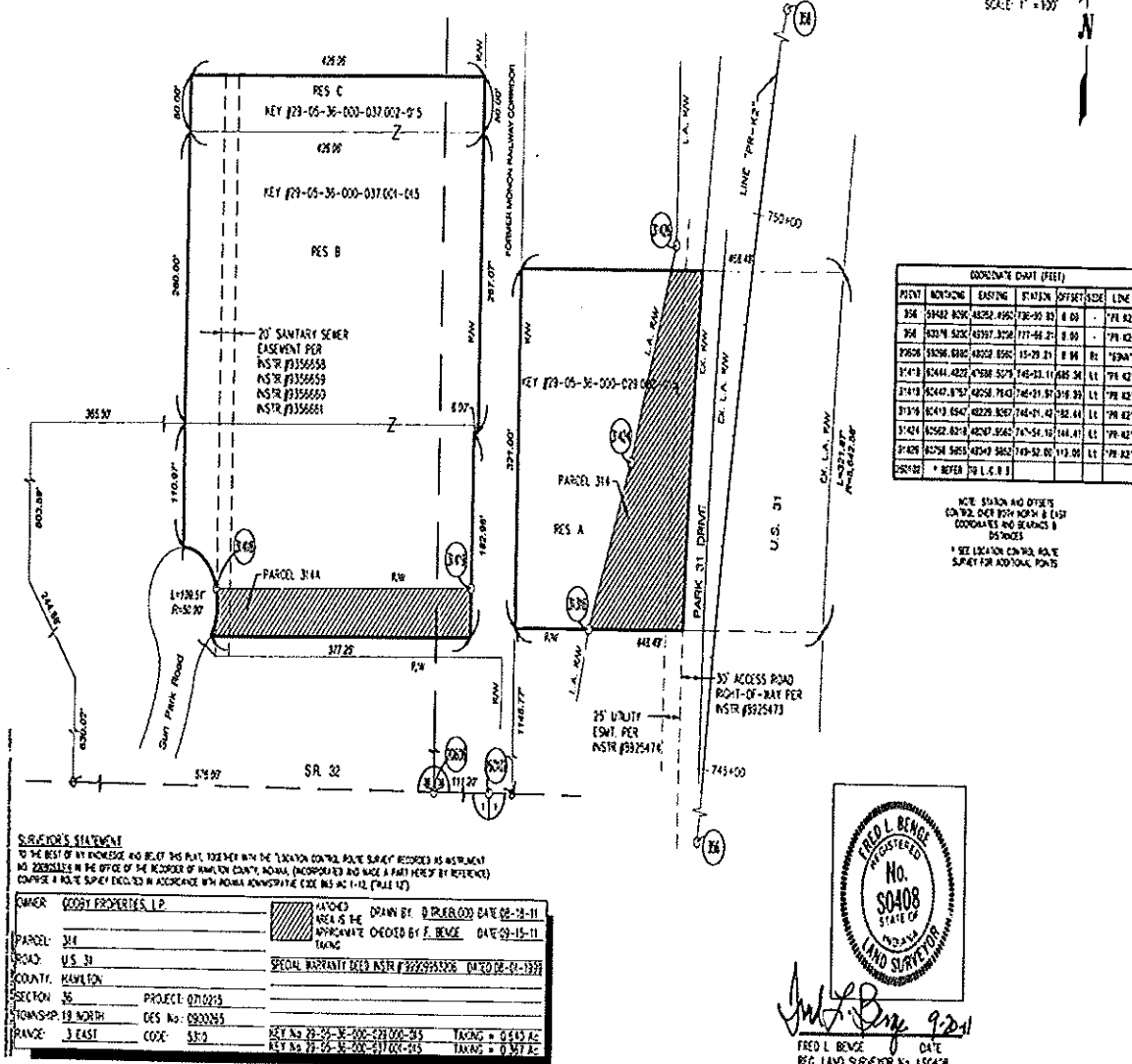


Exhibit 3

Page 30 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

Sheet 1 of 2

PARCEL NO.: 359-Fee Simple with Partial Limitation of Access

Form WL-2

Key Number 29-05-25-000-043.000-015

A part of the Southeast Quarter of Section 25, Township 19 North, Range 3 East, Hamilton County, Indiana, and being that part of the grantor's land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit "B", described as follows: Beginning at a point on the north line of said quarter section South 88 degrees 54 minutes 32 seconds West 183.72 feet from the northeast corner of said quarter section; thence South 0 degrees 10 minutes 10 seconds West 16.74 feet to the southwestern boundary of the intersection of 191<sup>st</sup> Street and said U.S. 31; thence South 39 degrees 16 minutes 51 seconds East 91.28 feet along said boundary to the west boundary of said U.S. 31; thence South 0 degrees 10 minutes 11 seconds West 166.70 feet along said boundary; thence along said boundary Southwesterly 1,154.93 feet along an arc to the right having a radius of 5,637.58 feet and subtended by a long chord having a bearing of South 6 degrees 02 minutes 19 seconds West and a length of 1,152.91 feet to the south line of said grantor's land; thence South 88 degrees 54 minutes 27 seconds West 85.07 feet along said line; thence North 11 degrees 44 minutes 49 seconds East 176.00 feet to point "35901" on said plat; thence North 5 degrees 09 minutes 15 seconds East 388.79 feet to point "35902" on said plat; thence North 6 degrees 21 minutes 51 seconds West 391.31 feet to point "35903" on said plat; thence North 20 degrees 03 minutes 14 seconds West 350.02 feet to point "35905" on said plat; thence North 84 degrees 58 minutes 28 seconds West 186.08 feet to point "35909" on said plat; thence North 82 degrees 46 minutes 36 seconds West 53.54 feet to the west line of said grantor's land; thence North 0 degrees 11 minutes 38 seconds East 92.83 feet along said line to the north line of said quarter section; thence North 88 degrees 54 minutes 32 seconds East 479.98 feet along said line to the point of beginning and containing 5.599 acres, more or less, inclusive of the presently existing right of way for 191<sup>st</sup> Street which contains 0.173 acres, more or less.

TOGETHER with the permanent extinguishment of all right and easements to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), to and from the grantor's abutting lands, along the line described as follows: Beginning at the western end of the eastern 69.69 feet of the 85.07-foot course

Exhibit 3

Page 31 of 34

**EXHIBIT "A"**

PROJECT: 0710215

CODE: 5310

Sheet 2 of 2

PARCEL NO.: 359-Fee Simple with Partial Limitation of Access

Form WL-2

Key Number 29-05-25-000-043.000-015

described above; thence North 11 degrees 44 minutes 50 seconds East 172.99 feet to point "35925" on said plat; thence North 5 degrees 09 minutes 44 seconds East 389.88 feet to point "35926" on said plat; thence North 6 degrees 20 minutes 08 seconds West 392.38 feet to point "35927" on said plat; thence North 18 degrees 15 minutes 59 seconds West 368.23 feet to point "35928" on said plat; thence North 86 degrees 57 minutes 34 seconds West 205.55 feet to point "35929" on said plat; thence North 83 degrees 11 minutes 21 seconds West 53.14 feet and terminating on the west line of said grantor's land. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the  
Indiana Department of Transportation, by Fred L. Bengé, Indiana  
Registered Land Surveyor, License Number LS80040408,  
on the 17<sup>th</sup> day of November, 2011



  
Fred L. Bengé

Exhibit 3

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**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5310  
PARCEL NO.: 359A-Temporary Right of Way for Drive Construction  
Form T-1

Sheet 1 of 1

A part of the Southeast Quarter of Section 25, Township 19 North, Range 3 East, Hamilton County, Indiana, described as follows: Commencing at the northeast corner of said quarter section; thence South 88 degrees 54 minutes 32 seconds West 663.70 feet along the north line of said quarter section to the northwest corner of the grantor's land; thence South 0 degrees 11 minutes 38 seconds West 603.02 feet along the west line of said grantor's land to the point of beginning of this description: thence North 88 degrees 54 minutes 32 seconds East 5.00 feet; thence South 0 degrees 11 minutes 38 seconds West 40.00 feet; thence South 88 degrees 54 minutes 32 seconds West 5.00 feet to the west line of said grantor's land; thence North 0 degrees 11 minutes 38 seconds East 40.01 feet along said line to the point of beginning and containing 0.005 acres, more or less.

This description was prepared for the  
Indiana Department of Transportation, by Fred L. Bengé, Indiana  
Registered Land Surveyor, License Number LS80040408,  
on the 17<sup>th</sup> day of November, 2011



*Fred L. Bengé*  
Fred L. Bengé



## EXHIBIT "B"

## RIGHT-OF-WAY PARCEL PLAT

PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.  
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 1

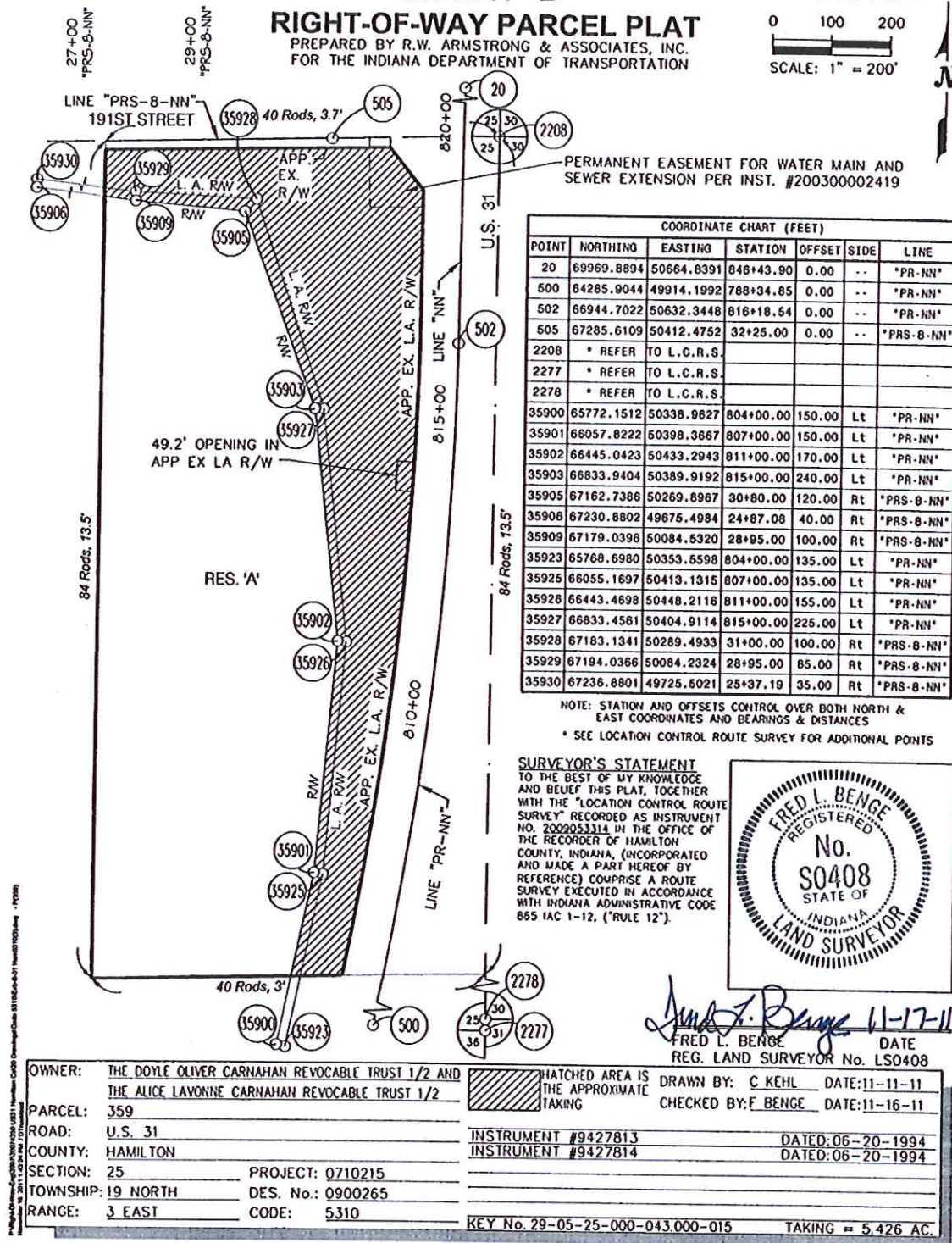
0 100 200  
SCALE: 1" = 200'

Exhibit 3

Page 33 of 34

**EXHIBIT "A"**

PROJECT: 0710215  
CODE: 5302  
PARCEL NO.: 360-Fee Simple with Partial Limitation of Access  
Form WL-2  
Key Number 29-05-25-000-042.000-025

Sheet 1 of 1

A part of the West Half of the East Half of the Southeast Quarter of Section 25, Township 19 North, Range 3 East in Hamilton County, Indiana and being that part of the grantors' land lying within the right of way lines depicted on the attached Right of Way Parcel Plat, marked Exhibit B, described as follows: Beginning on the north line of said quarter section North 88 degrees 54 minutes 32 seconds East 505.00 feet from northwest corner of said half-quarter section which point of beginning is the northwest corner of said grantors' land; thence continuing North 88 degrees 54 minutes 32 seconds East 156.19 feet (157.60 feet deduced from deed book 297 page 544 recorded in the Office of the Recorder of Hamilton County) along the north line of said quarter section to the northeast corner of said grantor's land, thence South 0 degrees 11 minutes 38 seconds East 92.83 feet along the east line of said grantors' land; thence North 82 degrees 45 minutes 46 seconds West 157.30 feet to the west line of said grantors' land; thence North 0 degrees 09 minutes 45 seconds East 70.04 feet along the west line of said grantors' land to the point of beginning and containing in 0.292 acres more or less.

TOGETHER, with the permanent extinguishment of all rights and easement of ingress and egress to, from, and across the limited access facility (to be known as U.S. 31 and as Project 0710215), along the lines described as follows: Beginning at the South end of the North 56.65 feet of the 70.04-foot course described above; thence South 83 degrees 11 minutes 22 seconds East 157.17 feet and terminating on east line of said grantors' land. This restriction shall be a covenant running with the land and shall be binding on all successors in title to the said abutting lands.

This description was prepared for the Indiana Department of Transportation, by Fred L. Bengé, Indiana Registered Land Surveyor, License Number LS80040408, on the 19<sup>th</sup> day of December, 2011



*Fred L. Bengé*  
Fred L. Bengé



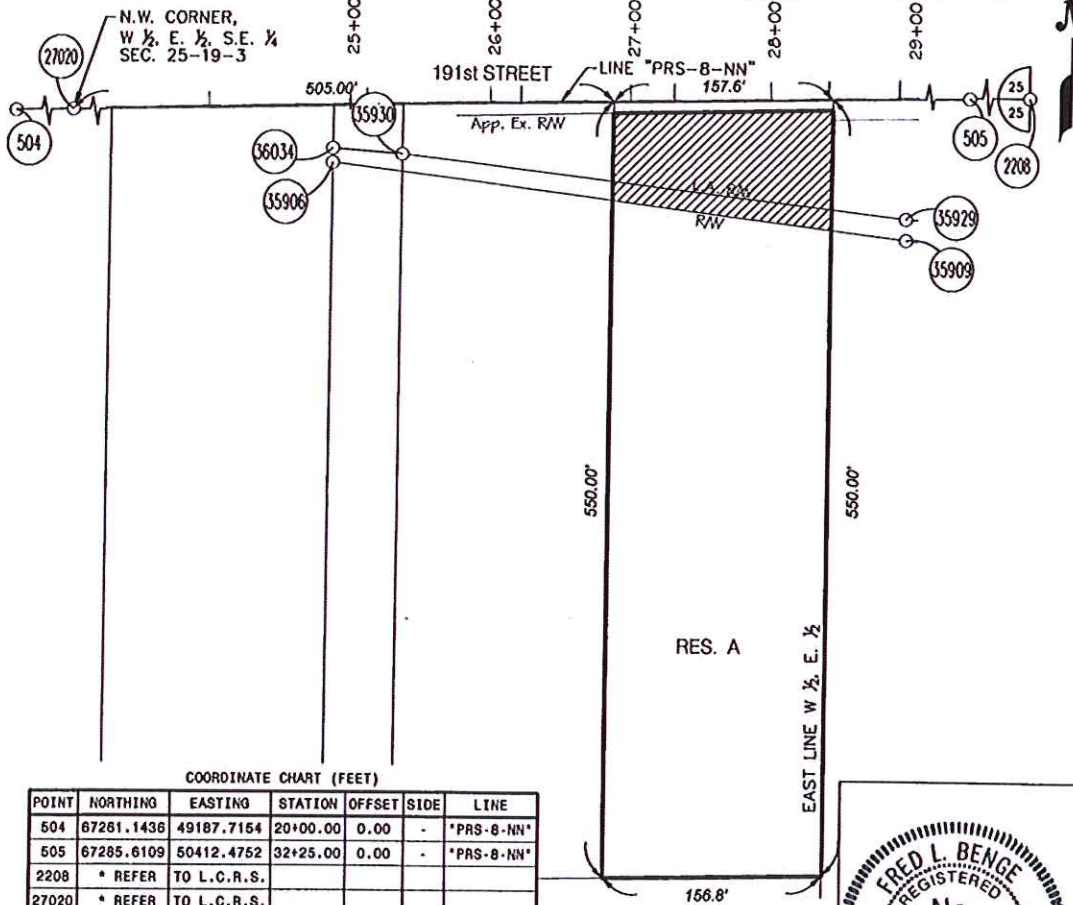
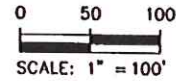
# Exhibit 3

Page 34 of 34

## EXHIBIT "B" RIGHT-OF-WAY PARCEL PLAT

PREPARED BY R.W. ARMSTRONG & ASSOCIATES, INC.  
FOR THE INDIANA DEPARTMENT OF TRANSPORTATION

SHEET 1 OF 1



COORDINATE CHART (FEET)

POINT	NORTHING	EASTING	STATION	OFFSET	SIDE	LINE
504	67261.1436	49187.7154	20+00.00	0.00	-	*PRS-8-NN*
505	67265.6109	50412.4752	32+25.00	0.00	-	*PRS-8-NN*
2208	* REFER	TO L.C.R.S.				
27020	* REFER	TO L.C.R.S.				
35906	67230.8802	49675.4984	24+87.08	40.00	Rt	*PRS-8-NN*
35909	67179.0396	50084.5320	28+95.00	100.00	Rt	*PRS-8-NN*
35929	67194.0366	50084.2324	28+95.00	65.00	Rt	*PRS-8-NN*
35930	67236.8801	49725.5021	25+37.19	35.00	Rt	*PRS-8-NN*
36034	67240.9376	49675.5130	24+87.30	29.94	Rt	*PRS-8-NN*

NOTE: STATION AND OFFSETS  
CONTROL OVER BOTH NORTH & EAST  
COORDINATES AND BEARINGS &  
DISTANCES  
\* SEE LOCATION CONTROL ROUTE  
SURVEY FOR ADDITIONAL POINTS



### SURVEYOR'S STATEMENT

TO THE BEST OF MY KNOWLEDGE AND BELIEF THIS PLAT, TOGETHER WITH THE "LOCATION CONTROL ROUTE SURVEY" RECORDED AS INSTRUMENT NO. 2009053314 IN THE OFFICE OF THE RECORDER OF HAMILTON COUNTY, INDIANA, (INCORPORATED AND MADE A PART HEREOF BY REFERENCE) COMPRISE A ROUTE SURVEY EXECUTED IN ACCORDANCE WITH INDIANA ADMINISTRATIVE CODE 865 IAC 1-12, ("RULE 12").

FRED L. BENGE  
REG. LAND SURVEYOR No. LS0408

OWNER: BONTRAGER, JAMES L. ET UX.  
PARCEL: 360  
ROAD: U.S. 31  
COUNTY: HAMILTON  
SECTION: 25  
TOWNSHIP: 19 NORTH  
RANGE: 3 EAST

HATCHED AREA IS THE APPROXIMATE TAKING  
DRAWN BY: C. SWEET DATE: 12-16-11  
CHECKED BY: F. BENGE DATE: 12-19-11  
DEED RECORD 297, #544 DATED: 06-29-1977  
KEY No. 29-05-25-000-042.000-025 TAKING = 0.292 AC.